



City of Bixby Planning Commission Meeting Agenda

Monday, May 15, 2023

6:00 PM

**Municipal Building
116 W. Needles Ave., Bixby,
OK 74008**

Call to Order

Chairman

Roll Call

Gwen Plante, Assistant City Planner

Consent Agenda

- 1) Acceptance of the minutes of the March 20, 2023, Planning Commission Regular Meeting.

O.C. Walker, City Planner

Public Hearings

- 2) Discussion, consideration, and possible vote to approve a Preliminary Plat (BXPT-23.04), Henson Square, located at 4108 East 151st Street South, Bixby, Oklahoma 74008.

O.C. Walker, City Planner

- 3) Discussion, consideration, and possible vote to approve a Rezoning request for the Golden Horseshoe Development (BXZO-23.02), which is located East of South Memorial Drive and approximately 600 feet North of East 151st Street South, Bixby, Oklahoma 74008.

O.C. Walker, City Planner

- 4) Discussion, consideration, and possible vote to approve a Preliminary and Final Plat (BXPT-23.05), for the Golden Horseshoe, which is located East of South Memorial Drive and approximately 600 feet North of East 151st Street South, Bixby, Oklahoma 74008.

O.C. Walker, City Planner

- 5) Discussion, consideration, and possible vote to approve a Preliminary and Final Plat Amendment No. 1 (BXPT-19.10-a) for Bixby Meadows, which is located South of East 151st Street South and South Harvard Avenue, Bixby, Oklahoma 74008.

O.C. Walker, City Planner

- 6) Discussion, consideration, and possible vote to approve a Site Plan (BXSP-23.06) for Chick-fil-A, which will be located at 14811 South Memorial Drive, Bixby, Oklahoma 74008.

O.C. Walker, City Planner

- 7) Discussion, consideration, and possible vote to approve Major Amendment No.1. (BXPUD 17.04) for the Village of Sereno, which is located West of the Northwest corner of South Memorial Drive and East of 121st Street South, Bixby, Oklahoma 74008.

O.C. Walker, City Planner

Old Business

New Business

Notice of Posting

This Notice and Agenda was posted on the bulletin board this day of May 12, 2023, on or before 6:00 p.m., at City Hall, 116 W. Needles Bixby, Oklahoma.

Respectfully Submitted

O.C. Walker, City Planner

Persons who require a special accommodation to participate in this meeting should contact City Planner O.C. Walker: at 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430 or via Email: ocwalker@bixbyok.gov as far in advance as possible and preferably at least 48- hours before the date of the meeting. Persons using a TDD 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

Tuesday| March 20, 2023 | 6:00 PM

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

CALL TO ORDER: 6:03 PM

Roll Call was taken

MEMBERS PRESENT: Tom Holland
Lance Whisman
Steve Hobbs
Jason Mohler

MEMBERS ABSENT: Josh Nave

STAFF PRESENT: O.C. Walker, Director of Development Services
Gwen Plante, Assistant City Planner

1. Approval of Minutes | Planning Commission meeting February 21, 2023.

Vice Chairman Hobbs asked if there was a motion to approve the Meeting Minutes of February 21, 2023. Commissioner Holland made a motion to approve the minutes, and Commissioner Whisman seconded. The vote was recorded as follows:

Mr. Holland	Yes
Mr. Whisman	Yes
Mr. Hobbs	Yes
Mr. Mohler	Yes

Motion was Approved

2. Discussion, Consideration, and possible vote to approve a Zoning Change for 121st and Sheridan Road BXZO 23.01

Mr. Walker gave a detailed overview of the project and PUD is not requested at this time. Mr. Walker said there have been concerns raised that this property is a Wetland property.

Justin Morgan with Tanner Consulting said that the property regarding it being a wetland area has been released by the Corp of Engineers and will be providing a copy of the letter with the Plat.

Commissioner Whisman stated he is concerned with the water coming from Sheridan and creating a problem with the drainage on neighboring properties. Justin Morgan explained the existing stormwater structure at the intersection, and how the system will tie together with the existing system in place.

Commissioner Holland expressed his concern about the type of businesses that would be allowed with the property close to the school and residential development.

Vice Chairman Hobbs asked if there was a motion to approve the Rezoning BXZO 23.01 property located on the NE Corner of 121st and Sheridan from Agriculture (AG) to Commercial Shopping (CS) and uses allowed per zoning code. Vice Chairman Hobbs made a motion to approve, and Commissioner Mohler seconded. The vote was recorded as follows:

Mr. Holland	Yes
Mr. Whisman	Yes
Mr. Hobbs	Yes
Mr. Mohler	Yes

Motion was Approved

3. Discussion, Consideration, and possible vote to approve Site Plan for Cozort Office, BXSP 23.03.

Mr. Walker gave an overview of the project to Planning Commission and stated applicant was available for questions.

The Applicant, Engineering Firm WDesign explained this is one of many in this area that they are building and the requirements of the PUD.

Commissioner Mohler asked about site lighting as it is not reflected in the plan, to make sure the lights are shielded.

Vice Chairman Hobbs asked if there was a motion to approve the Site Plan for Cozort Office BXSP 23.03. Commissioner Mohler made a motion to approve with staff comments, and Commissioner Whisman seconded. The vote was recorded as follows:

Mr. Holland	Yes
Mr. Whisman	Yes
Mr. Hobbs	Yes
Mr. Mohler	Yes

Motion was Approved

4. Discussion, Consideration, and possible vote to Approve Site Plan for Marlee Office No. 3, BXSP 23.04.

Mr. Walker presented an overview of the project and stated the applicant was available for questions.

The Applicant, Engineering Firm WDesign explained the project and that there would be an additional Handicap parking space at this location.

Vice Chairman Hobbs asked if there was a motion to approve the Site Plan for Marlee Office No. 3 BXSP 23.04. Commissioner Whisman made a motion to approve with staff comments, and Commissioner Holland seconded. The vote was recorded as follows:

Mr. Holland Yes

Mr. Whisman Yes

Mr. Hobbs Yes

Mr. Mohler Yes

Motion was Approved

5. Bixby Village Plat Amendment| Discussion, Consideration, and possible vote to Approve BXPT 20.08.

Mr. Walker presented a brief overview of the project and stated the applicant was available for questions.

The Applicant, Erik Enyart of Tanner Consulting stated this is a housekeeping issue, in December 2022 a Plat Amendment was approved. Tanner Consulting is requesting to update Plat from the original PUD development standards some of which have been superseded so that there are no title issues with people purchasing houses with the Plat Covenants that is no longer in effect. they are updating and amending the PUD Development Standards Covenants of the Plat following the process that is outlined in the Plat itself and State Statues working with City Staff and the City Attorney to correct the issues.

Vice Chairman Hobbs asked if there was a motion to approve the Bixby Plat Amendment BXPT 20.08. Commissioner Mohler made a motion to approve, and Commissioner Holland seconded. The vote was recorded as follows:

Mr. Holland Yes

Mr. Whisman Yes

Mr. Hobbs Yes

Mr. Mohler Yes

Motion was Approved

Old Business – Contract with Matrix, City of Bixby has worked out an agreement, schedules to follow.

New Business – No new business.

The meeting adjourned at 6:46 pm

Josh Nave, Interim Chair

O.C. Walker, Secretary

Pending Commission Approval



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: O.C. Walker, Development Services Director/City Planner
Date: Monday, April 17, 2023
Name: Henson Square
RE: Henson Square – Preliminary Plat BXPT-23.04
Location: 4108 East 151st Street South, Bixby, Oklahoma
STR: Section 21, Township 17N, Range 13E
Applicant: Olsson, Inc., Austin Mayes

Site Stats:

Acres: 32.35 +/-	Min. Lot Width: Varies	DU/acre: N/A
Number of Lots: 102 Lots	Number of Blocks: 3 Blocks	Reserve Areas: 3 Reserve Areas

Request:

Olsson, Inc., is requesting Preliminary Plat approval for the Henson Square project located at 4108 East 151st Street South, Bixby, Oklahoma.

Existing Zoning; Use:

BXPUD 22.04, Commercial Shopping (CS) Single Family Residential (RS-3);

Abutting Zoning; Use:

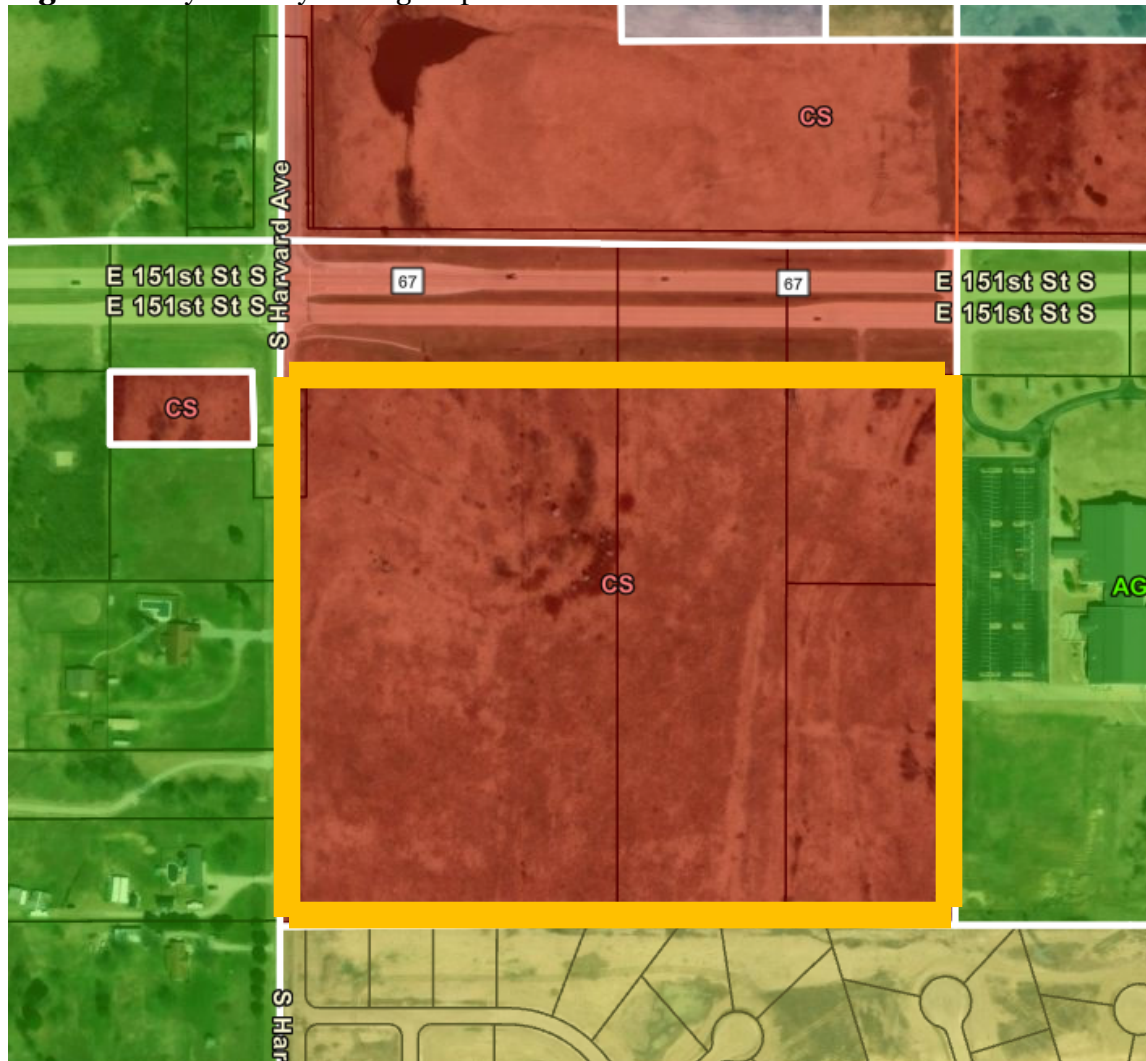
North: (CS) Commercial Shopping; Bixby Elementary and Intermediate School (BXPUD – 19.01)

East: (AG) Agriculture; New Beginnings Church

South: (RS-2) Single-Family Residential; Bixby Meadows

West: (AG) Agriculture, (CS) Commercial Shopping

Figure 1: City of Bixby Zoning Map



Staff Review

The applicant is requesting a Preliminary Plat. The proposed development is consistent with BXPUD 19.04 which was approved by City Council in July 2022. Henson Square is proposed to be a mixed-use development with commercial pad sites on 151st Street South. The existing traffic signal at 151st Street and Harvard Avenue makes access to the commercial lots safe and efficient. A larger commercial retail lot is also envisioned adjacent to Harvard. The easternmost development area is proposed as a Veterinary facility. A private gated, cottage home-style use provides an excellent buffer between the proposed commercial and the larger lot single-family development to the south while meeting an immediate demand in the housing market.

Utilities/Site Area: There is an existing 12" waterline that runs East and West along 151st Street South. There is also an 8" sanitary sewer line that is located East of the project site

Planning Review Comments:

- It does not appear the provision of the Major Street Plan
 - There are two curb cuts located on the south side of 151st Street South
 - The most eastern curb cut is existing
 - The Western 30' Limits of Access
- Include adjacent subdivision shown with names
- Boundary lines of addition with the approximate acreage
- Provide line-of-sight triangles for all ingress and egress corners
- Provide limits of no access on the street between Lot 1, Block 7, Reserve area "A", and Lot 1, Block 2 between the street of Lot 3
- Provide limits of no access on lots 1, 18, 56, 72, 77, and 94, Block 3 on the side or rear yards
- Amend BXPUD – 22.04 to correspond with the proposed plat
- Provide copies of Letters of Release from utility companies/Oklahoma Corporation Commission or others
- Add adjacent subdivisions shown
- All phases represented if a phased development
- Line of sight triangles for corner lots
- Existing utilities on or adjacent property, showing type/location/size

Engineering Review Comments: None received at the time of writing this report.

Public Comments: No comments have been received at the time of writing. Plats are not noticed.

Staff Comments:

1. Staff recommends this item be approved subject to Preliminary Plat and Final Plat with Planning and Engineering comments implemented to the Plat before moving to Council.

Figures: Figure 1: City of Bixby Zoning Map

Attachments: Exhibit A: Preliminary Plat by White Surveying Company
Exhibit B: Final Plat with Deed of Dedication by White Surveying Company

A SUBDIVISION IN THE CITY OF BIXBY, BEING A PART OF THE NW/4 OF THE NW/4 OF SECTION 21, TOWNSHIP 17 NORTH,
RANGE 13 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

POINT OF COMMENCEMENT

LOCATION MAP

SCALE: 1"=2000'

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15
35.205 SF

PRELIMINARY PLAT
HENSON SQUARE

A SUBDIVISION IN THE CITY OF BIXBY, BEING A PART OF THE NW/4 OF THE NW/4 OF SECTION 21, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

BIXBY LAND GROUP, LLC, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND IN THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-ONE (21), 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 AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION TWENTY-ONE (21), THENCE SOUTH 01°09'56" EAST ALONG THE WEST LINE THEREOF, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°49'21" EAST A DISTANCE OF 50.02 FEET TO THE EAST RIGHT-OF-WAY LINE OF SOUTH HARVARD AVENUE; THENCE NORTH 01°09'56" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 249.68 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 67; THENCE NORTH 89°11'21" EAST, ALONG SAID SOUTH R/W LINE, A DISTANCE OF 1274.25 FEET; THENCE SOUTH 01°09'58" EAST A DISTANCE OF 1072.29 FEET; THENCE SOUTH 89°05'18" WEST A DISTANCE OF 1274.25 FEET, TO THE EAST LINE OF THE FUTURE 50 FEET SOUTH HARVARD RIGHT OF WAY LINE; THENCE NORTH 01°09'56" WEST, ALONG SAID FUTURE RIGHT-OF-WAY LINE, A DISTANCE OF 824.62 FEET TO THE POINT OF BEGINNING, CONTAINING 1,409,018 SQUARE FEET OR 32.35 ACRES.

AND HAVE CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED, GRANTED, DONATED, CONVEYED, AND DEDICATED, ACCESS RIGHTS RESERVED, AND SUBDIVIDED INTO FOUR (4) LOTS AND ONE (1) BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "HENSON SQUARE" A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "HENSON SQUARE" OR THE "SUBDIVISION").

SECTION I. EASEMENTS AND UTILITIES

A. GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UIE" 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 RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/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 THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY-PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

- 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 HERE AND ELSEWHERE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION 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 EASEMENT WAYS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL EASEMENT WAYS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON HIS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH B SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER AND STORM SEWER SERVICES

- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON HIS LOT.
- 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, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS OR STORM SEWERS SHALL BE PROHIBITED.
- THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF PUBLIC WATER AND 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 OF HIS LOT, HIS AGENTS OR CONTRACTORS.
- 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.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH 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

- THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT OR AS 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.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTERATION, GRADE, OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR ITS AGENTS OR CONTRACTORS
- 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.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

E. SURFACE AND UNDERGROUND DRAINAGE

- EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS FOR THE PURPOSE OF PERMITTING THE FLOW, CONVEYANCE AND DISCHARGE OF STORM WATER RUNOFF FROM PROPERTIES WITHIN THE SUBDIVISION. 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 ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.
- DRAINAGE FACILITIES OR OTHER IMPROVEMENTS CONSTRUCTED IN THE SUBDIVISION SHALL BE IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF BIXBY, OKLAHOMA.

F. OFF-SITE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM OFF-SITE PROPERTIES AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS FOR THE PURPOSE OF PERMITTING THE FLOW, CONVEYANCE AND DISCHARGE OF STORM WATER RUNOFF FROM OFF-SITE PROPERTIES THROUGH THE SUBDIVISION. 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 ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.

G. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO PROPERLY-PERMITTED LANDSCAPING AND PAVING OCCASIONED BY NECESSARY INSTALLATION OR 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.

H. LIMITS OF NO ACCESS

THE OWNERS HEREBY RELINQUISH RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO E. 126TH STREET SOUTH AND S. MEMORIAL DRIVE 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 PLANNING COMMISSION, OR ITS SUCCESSOR, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, THE EMERGENCY RESPONSE VEHICLES OR VEHICLES USED IN CONJUNCTION WITH FRY CREEK MAINTENANCE ARE EXCLUDED FROM THE LIMITS OF NO ACCESS ALONG MEMORIAL DRIVE FRONTAGE.

I. MUTUAL ACCESS EASEMENT

THE OWNERS OF THE TRACTS IN WHICH THE EASEMENTS ARE LOCATED HEREIN ESTABLISH, FOR THE BENEFIT OF THE OWNERS AND THEIR RESPECTIVE SUCCESSORS IN TITLE TO THE LOTS WITHIN THE SUBDIVISION, A PERPETUAL NON-EXCLUSIVE MUTUAL ACCESS EASEMENT FOR THE PURPOSES OF PERMITTING VEHICULAR AND PEDESTRIAN PASSAGE TO AND FROM THE LOTS WITHIN THE SUBDIVISION TO AND FROM E. 126TH STREET SOUTH, AND TO AND FROM ANY OTHER PUBLIC OR PRIVATE ROADWAY OR ACCESS EASEMENT ADJACENT TO THE SUBDIVISION, ON, OVER AND ACROSS THE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "MUTUAL ACCESS EASEMENT". THE MAINTENANCE OF THE MUTUAL ACCESS EASEMENT WILL BE THE RESPONSIBILITY OF A PROPERTY OWNERS ASSOCIATION THAT WILL BE FORMED BY THE OWNERS. A SEPARATE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THIS SUBDIVISION WILL BE RECORDED AT TULSA COUNTY CLERK OFFICE.

J. MUTUAL PARKING PRIVILEGES

ALL LOTS WITHIN THIS SUBDIVISION MAY ALLOW THEIR EXCESS PARKING SPACES TO BE USED BY PATRONS OF ADJACENT LOTS. THE MAINTENANCE OF THESE SHARED PARKING SPACES SHOULD BE AGREED UPON BETWEEN THE AFFECTED LOT OWNERS.

K. MAINTENANCE OF LOTS

EACH OWNER SHALL BE RESPONSIBLE FOR MAINTAINING ALL PORTIONS OF ITS LOT AND ANY STRUCTURE CONSTRUCTED ON THAT LOT, INCLUDING WITHOUT LIMITATION, ALL IMPROVEMENTS, UTILITIES, DRAINAGE, PAVING, LANDSCAPING, AND BUILDINGS. EACH OWNER IS REQUIRED TO UPKEEP ITS LOT FREE OF TRASH, DEBRIS, AND LITTER.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, RIVER TRAIL II WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD NO. 83) AS PROVIDED WITHIN TITLE 11, CHAPTER 7, ARTICLE I OF BIXBY ZONING CODE, AND WHEREAS PUD NO. 83 WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF BIXBY PLANNING COMMISSION ON FEBRUARY 18, 2014 AND APPROVED BY THE COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, ON MARCH 24, 2014 (ORDINANCE #2129).

WHEREAS, OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF ACHIEVING AN ORDERLY DEVELOPMENT FOR THE MUTUAL BENEFIT OF OWNER, ITS SUCCESSORS IN TITLE AND THE CITY OF BIXBY, OKLAHOMA.

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS ON RECORD, INJURING 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 OWNERS DESIRE TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNERS, THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, AND THE CITY OF BIXBY, OKLAHOMA.

THEREFORE, THE OWNERS HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS, THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE BY OWNER, ANY PERSON OWNING A LOT IN THIS SUBDIVISION AND BY THE CITY OF BIXBY AS HEREINAFTER SET FORTH.

DEVELOPMENT AREA A

PERMITTED USE.....	AS PERMITTED AS A MATTER OF RIGHT BY THE CITY OF BIXBY ZONING CODE WITHIN THE CS DISTRICT, INCLUDING ALL USES CUSTOMARILY ACCESSORY THERETO PLUS USE UNIT 15
GROSS LAND AREA.....	12.1 ACRES (527,076 S.F.)
MINIMUM LOT WIDTH.....	150 FEET
MAXIMUM NUMBER OF LOTS.....	10
MINIMUM BUILDING SETBACK:	
FRONT YARDS.....	50 FEET
REAR YARDS.....	10 FEET
MAXIMUM BUILDING HEIGHT.....	35 FEET

DEVELOPMENT AREA B

PERMITTED USE.....	AS PERMITTED AS A MATTER OF RIGHT BY THE CITY OF BIXBY ZONING CODE WITHIN THE PROPOSED MIXED USE DISTRICT, INCLUDING ALL USES CUSTOMARILY ACCESSORY THERETO. SUCH MIXED USE SHALL BE SUBJECT TO THE SITE PLAN APPROVAL PROCESS. NO RESIDENTIAL USES SHALL BE ALLOWED IN DA-B.
GROSS LAND AREA.....	3.2 ACRES (139,392 S.F.)
MINIMUM LOT WIDTH.....	150 FEET
MAXIMUM NUMBER OF LOTS.....	2
MINIMUM BUILDING SETBACK:	
FRONT YARDS.....	50 FEET
REAR YARDS.....	10 FEET
MAXIMUM BUILDING HEIGHT.....	50 FEET

DEVELOPMENT AREA C

PERMITTED USE.....	AS PERMITTED AS A MATTER OF RIGHT BY THE CITY OF BIXBY ZONING CODE WITHIN THE RS-3 DISTRICT, INCLUDING ALL USES CUSTOMARILY ACCESSORY THERETO.
GROSS LAND AREA.....	16.1 ACRES (701,316 S.F.)
MINIMUM LOT WIDTH.....	50 FEET
MINIMUM LOT AREA.....	5,250 S.F.
MINIMUM LIVABILITY SPACE.....	2,000 S.F.*
MAXIMUM NUMBER OF LOTS.....	98
MINIMUM BUILDING SETBACK:	
FRONT YARDS.....	15 FEET
REAR YARDS.....	20 FEET
SIDE YARD (ONE SIDE).....	5 FEET
MAXIMUM BUILDING HEIGHT.....	48 FEET
* THE BALANCE OF THE LIVABILITY SPACE REQUIRED BY THE CODE SHALL BE CONSIDERED FULLY MET BY THE ALLOCATION OF AREA WITH RESERVE AREAS.	

PLATTING

NO BUILDING PERMIT WITHIN HENSON SQUARE SHALL BE ISSUED UNTIL A SUBDIVISION PLAT HAS BEEN APPROVED BY THE CITY OF BIXBY AS BEING IN COMPLIANCE WITH THE PLANNED UNIT DEVELOPMENT CONCEPT AND DEVELOPMENT STANDARDS. A SUBDIVISION PLAT WILL BE SUBMITTED TO THE CITY OF BIXBY AFTER APPROVAL OF THE PUD BY THE CITY COUNCIL. THE PLATTED AREA WILL ESTABLISH PRIVATE COVENANTS WHICH SET FORTH CRITERIA WHICH WILL ESTABLISH AND MAINTAIN A VERY HIGH QUALITY OF DEVELOPMENT.

SECTION III. PROPERTY OWNERS' ASSOCIATION

A. FORMATION OF PROPERTY OWNERS' ASSOCIATION

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF THE LOTS WITHIN THE "HENSON SQUARE" (HEREINAFTER REFERRED TO AS THE "PROPERTY OWNERS' ASSOCIATION") 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 "HENSON SQUARE", INCLUDING BUT WITHOUT LIMITATION FOR THE FURTHER PURPOSES OF ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF "HENSON SQUARE". THE DETAILS OF MEMBERSHIP IN THE PROPERTY OWNERS' ASSOCIATION SHALL BE ESTABLISHED BY ITS ORGANIZATIONAL DOCUMENTS, INCLUDING BUT NOT NECESSARILY LIMITED TO ARTICLES OF INCORPORATION AND BYLAWS.

B. ASSESSMENT

THE RECORD OWNER OR OWNERS OF EACH LOT WITHIN "HENSON SQUARE" SHALL BE SUBJECT TO ASSESSMENT BY THE PROPERTY OWNERS' ASSOCIATION FOR THE PURPOSES OF MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION, INCLUDING BUT NOT LIMITED TO THE MUTUAL ACCESS EASEMENTS, DRIVES, AND PARKING AREAS. EACH LOT SHALL BE RESPONSIBLE FOR A PART OF THE TOTAL ASSESSMENT FOR SUCH PURPOSES AS DETERMINED BY THE PROPERTY OWNERS' ASSOCIATION. THE PART ALLOCATED TO EACH LOT SHALL EQUAL THE TOTAL ASSESSMENT MULTIPLIED BY A FRACTION WHOSE NUMERATOR IS THE TOTAL AREA OF THE LOT IN SQUARE FEET AND WHOSE DENOMINATOR IS THE TOTAL AREA OF "HENSON SQUARE" IN SQUARE FEET.

C. LIEN FOR UNPAID ASSESSMENT

ANY LOT WHOSE OWNER FAILS TO PAY ITS ASSESSMENT WHEN DUE SHALL BE SUBJECT TO A LIEN FOR THE AMOUNT OF SUCH UNPAID ASSESSMENT, AND SUCH LIEN SHALL ACCRUE INTEREST AT THE SAME RATE AS JUDGMENTS AS PUBLISHED IN THE OKLAHOMA BAR JOURNAL OR IF THE JUDGMENT INTEREST RATE IS NO LONGER PUBLISHED IN SAID OKLAHOMA BAR JOURNAL THEN AT A RATE OF INTEREST EQUAL TO SOME OTHER PUBLICLY RECOGNIZED STANDARD CHOSEN BY THE PROPERTY OWNERS' ASSOCIATION. HOWEVER, THIS LIEN SHALL BE SUBORDINATE TO THE LIEN OF ANY MORTGAGE THAT IS RECORDED PRIOR TO THE DATE SUCH LIEN BECAME DUE.

D. LOT MAINTENANCE

EACH LOT OWNER, TENANT, OR OCCUPANT SHALL KEEP ITS BUILDINGS, IMPROVEMENTS AND APPURTENANCES IN A SAFE, CLEAN, MAINTAINED, NEAT AND WHOLESOME CONDITION. EACH SUCH OWNER, TENANT, OR OCCUPANT SHALL REMOVE, AT ITS OWN EXPENSE, ANY RUBBISH OR TRASH OF ANY CHARACTER WHICH MAY ACCUMULATE ON THEIR LOT. RUBBISH, TRASH, GARBAGE, OR OTHER WASTE SHALL BE KEPT ONLY IN SUITABLE, CLEAN, AND SANITARY CONTAINERS AND EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIALS.

PRELIMINARY PLAT

HENSON SQUARE

A SUBDIVISION IN THE CITY OF BIXBY, BEING A PART OF THE NW/4 OF THE NW/4 OF SECTION 21, TOWNSHIP 17 NORTH,
RANGE 13 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

SECTION IV. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A.ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION 1. 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 THE CITY OF BIXBY, OKLAHOMA AND THE OWNERS AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS. THE COVENANTS CONTAINED IN SECTION III, **PROPERTY OWNERS ASSOCIATION** SHALL INURE TO THE BENEFIT OF THE OWNERS AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS. IF ANY OF THE OWNERS OR THEIR RESPECTIVE SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTIONS I & II, IT SHALL BE LAWFUL FOR THE CITY OF BIXBY, ANY OWNER OF ANY PART OF THE SUBDIVISION, OR THE 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. IF ANY OF THE OWNERS, OR THEIR RESPECTIVE SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION III IT SHALL BE LAWFUL FOR ANY OWNER OF ANY PART OF THE SUBDIVISION, OR THE 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. 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 ANY PART OF THE SUBDIVISION WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED IN SECTIONS II, OR III, 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 AND COVENANTS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE RESTRICTIONS AND COVENANTS CONTAINED WITHIN SECTION 1. 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, OR ITS SUCCESSORS. THE COVENANTS CONTAINED WITHIN SECTION II, **PLANNED UNIT DEVELOPMENT RESTRICTIONS**, AND SECTION III, **PROPERTY OWNER'S ASSOCIATION**, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY ENCORE II, LLC DURING SUCH PERIOD THAT BIXBY LAND GROUP, LLC IS THE OWNER OF AT LEAST 75% OF THE LOTS WITHIN "HENSON SQUARE" AND APPROVED BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS; OR ALTERNATIVELY THE COVENANTS CONTAINED WITHIN SECTION II, OR SECTION III, 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 AND APPROVED BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY BIXBY LAND GROUP, LLC (DURING ITS OWNERSHIP OF AT LEAST 75% OF THE LOTS WITHIN THE SUBDIVISION), AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF 75% OF THE LOTS IN THE SUBDIVISION, THE INSTRUMENT EXECUTED BY BIXBY LAND GROUP, LLC SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

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

IN WITNESS WHEREOF, BIXBY LAND GROUP, LLC, HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2023.

BIXBY LAND GROUP, LLC

AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
MANAGING MEMBER

STATE OF OKLAHOMA)

) S.S.

COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023,

BY _____ AS A MANAGING MEMBER OF BIXBY LAND GROUP, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY.

MY COMMISSION EXPIRES

NOTARY PUBLIC

CERTIFICATE OF SURVEY

I JAY P. BISSELL OF TULSA COUNTY, STATE OF OKLAHOMA, AND A PROFESSIONAL SURVEYOR, 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 "HENSON SQUARE", 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 OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

EXECUTED THIS ____ DAY OF _____, 2023.

JAY P. BISSELL

AAB ENGINEERING, LLC

LICENSED PROFESSIONAL LAND SURVEYOR OKLAHOMA NO. 1318

CA #6318 RENEWAL DATE JUNE 30TH, 2024

STATE OF OKLAHOMA)

) S.S.

COUNTY OF TULSA)

____THE FOREGOING CERTIFICATE OF SURVEY WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2023.

BY JAY P. BISSELL.

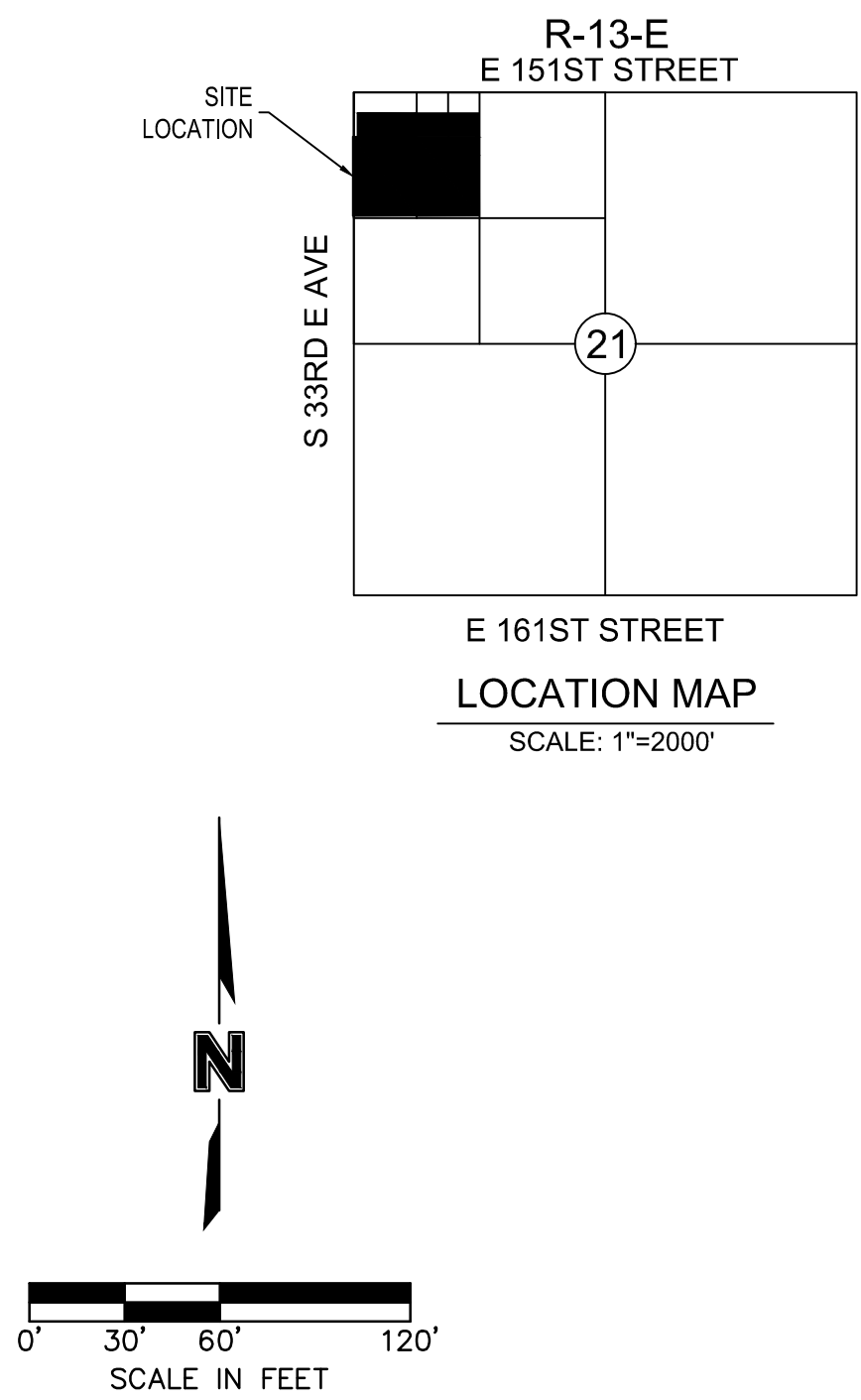
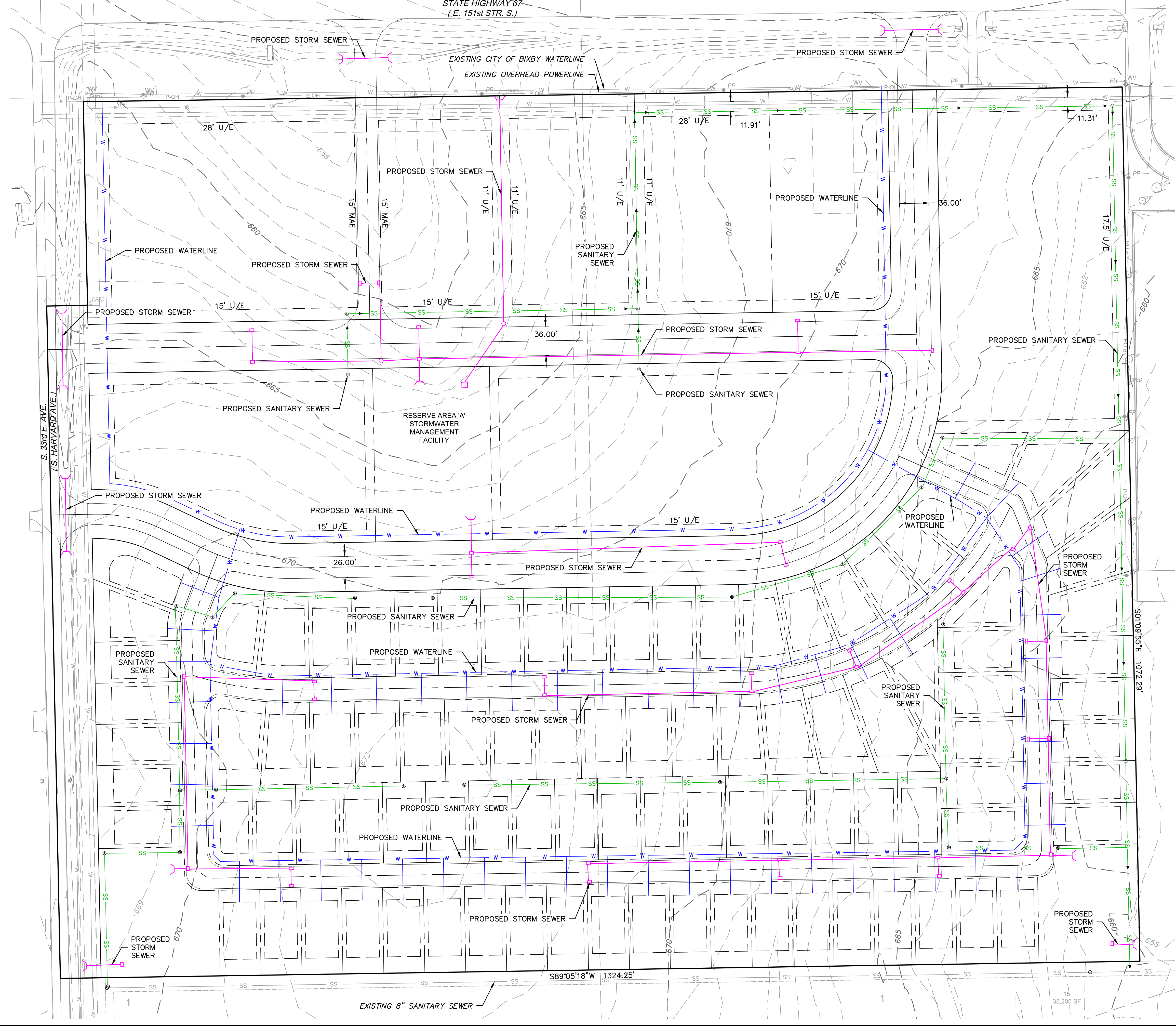
MY COMMISSION EXPIRES

NOTARY PUBLIC

CURVE TABLE					
CURVE ID	RADIUS (FT)	DELTA	LENGTH (FT)	CHORD BEARING	CHORD LENGTH (FT)
C1	210.00	026°22'05"	96.64	S77°58'53"E	95.79
C2	220.00	026°12'28"	100.63	S77°54'05"E	99.76
C3	195.00	087°37'57"	298.25	N45°10'42"E	270.02
C4	25.00	092°22'18"	40.30	N44°49'25"W	36.08
C5	25.00	089°59'45"	39.27	N43°59'34"E	35.35
C6	150.00	026°22'05"	69.03	S77°58'53"E	68.42
C7	280.00	026°12'28"	128.08	S77°54'05"E	126.96
C8	255.00	090°00'00"	400.55	N43°59'41"E	360.62
C9	50.00	008°39'18"	7.55	N04°13'35"E	7.55
C10	50.00	009°33'33"	8.34	N03°46'28"E	8.33

BLOCK 1		BLOCK 3		BLOCK 3		BLOCK 3		BLOCK 3		BLOCK 3	
LOT No.	AREA (S.F.)	LOT No.	AREA (S.F.)	LOT No.	AREA (S.F.)	LOT No.	AREA (S.F.)	LOT No.	AREA (S.F.)	LOT No.	AREA (S.F.)
1	94,400.35	1	6,671.00	21	8,226.00	41	5,271.00	61	5,532.00	81	5,421.00
2	44,560.94	2	6,251.00	22	7,042.00	42	5,271.00	62	5,532.00	82	5,421.00
3	44,754.87	3	5,546.00	23	6,742.00	43	5,271.00	63	5,532.00	83	5,250.00
4	44,660.90	4	5,546.00	24	5,267.00	44	5,271.00	64	5,532.00	84	5,250.00
5	39,292.91	5	5,546.00	25	5,267.00	45	5,271.00	65	5,532.00	85	5,250.00
6	96,480.92	6	5,546.00	26	5,267.00	46	5,271.00	66	5,532.00	86	5,250.00
7	65,340.31	7	5,546.00	27	5,267.00	47	5,271.00	67	5,532.00	87	5,250.00
BLOCK 2		8	5,546.00	28	5,267.00	48	5,271.00	68	5,532.00	88	5,250.00
LOT No.	AREA (S.F.)	9	5,546.00	29	5,308.00	49	5,365.00	69	5,545.00	89	5,250.00
		10	5,546.00	30	5,271.00	50	5,321.00	70	7,041.00	90	5,250.00
1	97,021.64	11	5,546.00	31	5,271.00	51	5,305.00	71	8,703.00	91	5,250.00
		12	5,575.00	32	5,271.00	52	5,302.00	72	6,119.00	92	5,250.00
		13	5,678.00	33	5,271.00	53	5,297.00	73	5,421.00	93	5,250.00
		14	5,678.00	34	5,271.00	54	5,930.00	74	5,826.00	94	5,255.00
		15	5,678.00	35	5,271.00	55	6,950.00	75	5,826.00		
		16	5,678.00	36	5,271.00	56	7,383.00	76	5,826.00		
		17	5,678.00	37	5,271.00	57	5,778.00	77	5,826.00		
		18	5,678.00	38	5,271.00	58	5,532.00	78	5,826.00		
		19	5,263.00	39	5,271.00	59	5,532.00	79	5,826.00		
		20	8,127.00	40	5,271.00	60	5,532.00	80	5,421.00		

DWG: F:\2023\00501-0100\023-00810\40-Design\AutoCAD\Final Plans\Sheets\GNCV\C_UTL01_02300810.dwg
DATE: Mar 06, 2023 4:30pm
XREFS: C_XBASE_02300810 C_PBN DY_02300810 C_PUTIL_02300810
USER: mvanover
C_PRESS_02300810
2023.03.05 Henson's Square - Prelim Plot (Inspire Add)



PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION
03/06/2023 4:31:03 PM
olsson

CONCEPTUAL UTILITY PLAN
HENSON SQUARE
MASTERPLAN

2023

BIXBY, OK

drawn by:
checked by:
approved by:
QA/QC by:
project no.:
drawing no.:
date:

SHEET
EXHIBIT

REVISIONS DESCRIPTION
DATE
REV. NO.

REVISIONS

olsson

Oklahoma Certificate of Authorization
#CA2483 Renewal Date: 06-30-2023
1717 South Boulder Ave
Suite 600
Tulsa, OK 74119
TEL 918.376.4294 www.olsson.com

Page 13 of 169



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: O.C. Walker, Director of Development Services
Date: Monday, May 15, 2023
Name: Golden Horseshoe
RE: Rezone from Light Industrial (IL) to Commercial Shopping (CS) BXZO 23.02
Location: East of South Memorial Drive and 600 feet North of East 151st Street South, Bixby, Oklahoma 74008
STR: Section 13, Township 17N, Range 13E
Applicant: Olsson, Inc., Austin Mayes

Request:

Review and consideration for approval of rezoning change from Light Industrial (IL) to Commercial Shopping (CS) for property located, East of South Memorial Drive and 600 feet North of East 151st Street South, Bixby, Oklahoma 74008

Description:

According to the Bixby 2030 Comprehensive Plan the site is designated as Mixed Use. Commercial Shopping (CS) is allowed in the Mixed Use and designation denotes areas where multiple unrelated uses are permitted on a single lot, and clustered together to create a dense, walkable, and active urban area. Commercial Shopping is used by right.

Site Stats:

Acres: 1.94 Ac. +/-	Lot Width: 251.22 Ft	Lot Depth: 330.00 Ft.
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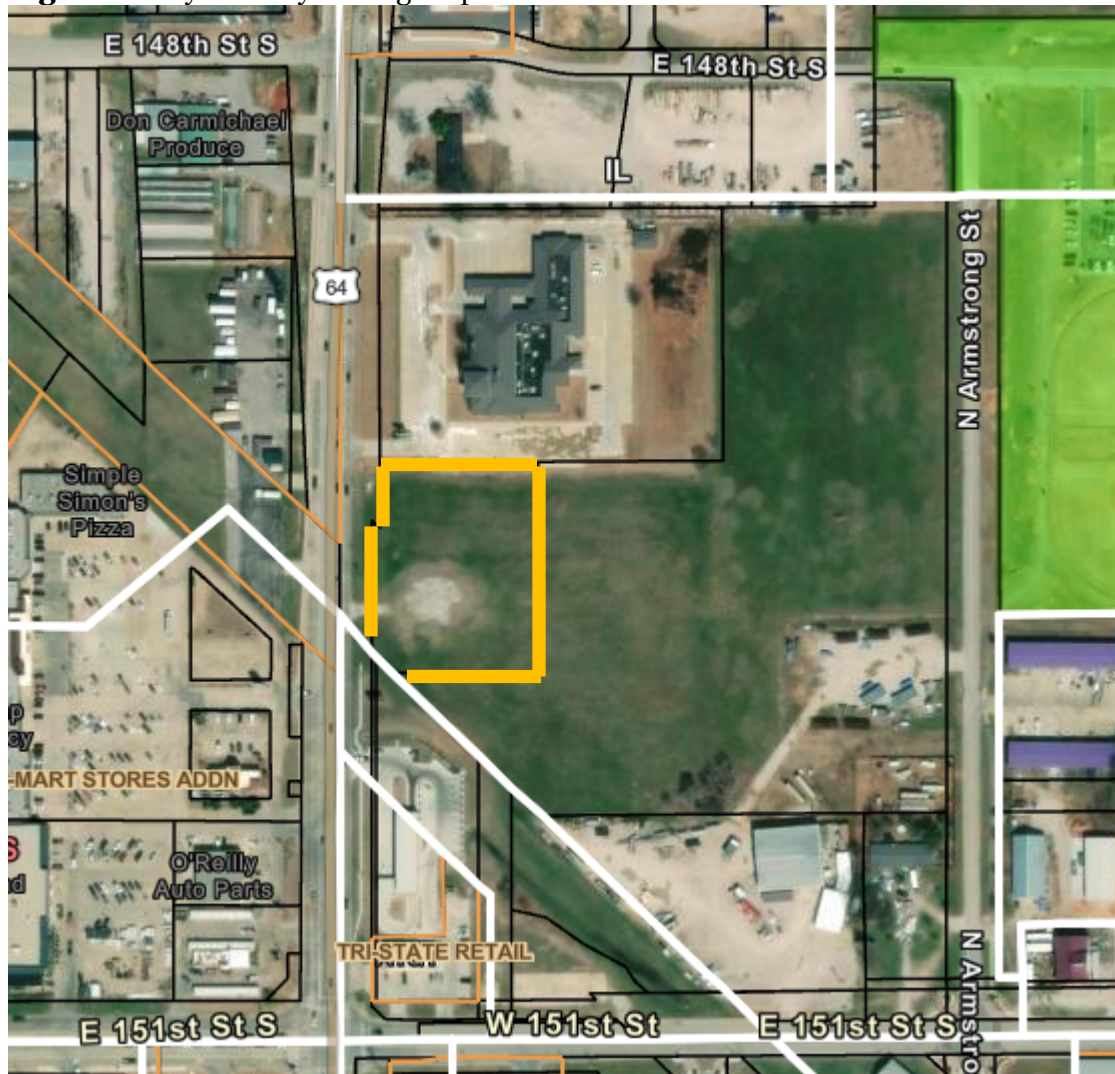
Request:

Olsson, Inc., is requesting to rezone from Light Industrial (IL) to Commercial Shopping (CS), Use unit 12, Entertainment establishments, and eating establishments other than drive-ins.

Existing Zoning; Use:
Light Industrial (IL)

Abutting Zoning; Use:
North: (IL) Mabrey Bank
East: (AG) Agriculture; Single-Family dwellings
South: (IL) Vacant
West: (CS) Commercial Shopping Center

Figure 1: City of Bixby Zoning Map



Staff Review

The applicant is requesting to Rezone from Light Industrial to Commercial Shopping Use unit 12, Entertainment establishments, and eating establishments other than drive-ins.

The property is located within the Corridor Appearance District and the Downtown Design District Overlay. As planned, the use of wood / composite panel siding in conjunction with an earth-tone colored stucco and adjacent brick facades, the various materials, roofs, balconies, patios, and unit locations will produce a dynamic look and will enhance the visual appeal of the City's streetscape.

Utilities/Site Area:

The Golden Horseshoe is fully served by public water, sanitary sewer, and all other necessary utilities.

Planning Review Comments:

- i. Shall comply with Corridor Appearance District requirements
- ii. Shall comply with the Downtown Design Overlay District requirements

Engineering Review Comments:

- i. Staff has not received Engineering comments at this time

Public Comments: No comments have been received at the time of writing.

Staff Comments:

1. Staff supports the Planning Commission recommendation for approval of the requested Rezone with Planning and Engineering comments implemented to the Plat before moving to Council.

Figures: Figure 1: City of Bixby Zoning Map

Attachments: Exhibit A: The Golden Horseshoe Survey

GENERAL NOTES

INVOICE NO. STK 22-108561

THE BASIS OF BEARINGS IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD83 (2011).

THE PROPERTY DESCRIBED HEREON CONTAINS 1.94 ACRES, MORE OR LESS.

THE PROPERTY DESCRIBED HEREON CONTAINS NO MARKED PARKING SPACES.

BY GRAPHIC PLOTTING ONLY, THE SUBJECT TRACT LIES WITHIN ZONE X SHADED DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD." AS SHOWN ON FIRM MAP PANEL NUMBER 40143C0434L WITH AN EFFECTIVE DATE OF 10/16/2012.

THE PROPERTY DESCRIBED HEREON HAS INGRESS/EGRESS FROM SOUTH MEMORIAL DRIVE (A DEDICATED RIGHT-OF-WAY).

SURVEYOR DID NOT OBSERVE ANY VISIBLE ENCROACHMENTS EXCEPT AS SHOWN ON THE FACE OF THIS SURVEY.

VISIBLE UTILITIES, UTILITIES MARKED BY GPRS (GROUND PENETRATING RADAR SYSTEMS, LLC) PER PRIVATE UTILITY LOCATE REQUEST AND FROM EXISTING ATLAS SHEETS ARE SHOWN, THERE MAY BE OTHERS THE EXISTENCE AND LOCATIONS OF WHICH ARE UNKNOWN. BEFORE DIGGING, CONTACT OKIE811 NO MORE THAN TEN (10) DAYS NOR LESS THAN FORTY-EIGHT (48) HOURS, EXCLUDING THE DATE OF NOTIFICATION, SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS.

SURVEYOR DID NOT OBSERVE EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE FIELD DATE SHOWN HEREON.

THIS SURVEY 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.

ADDRESS: TBD SOUTH MEMORIAL DRIVE, BIXBY, OK

INSTRUMENT NOTES

(X) DENOTES INSTRUMENT SHOWN ON SURVEY

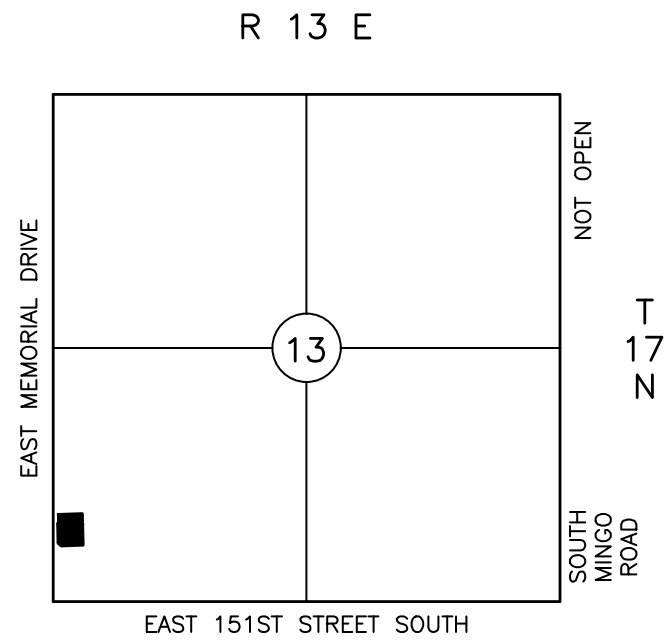
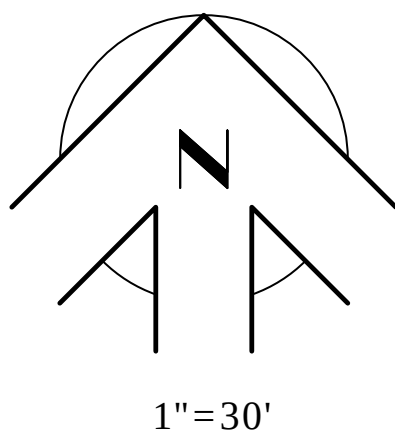
THIS SURVEY WAS PERFORMED WITH THE STEWART TITLE GUARANTY COMPANY'S TITLE COMMITMENT NO. 21153254, DATED NOVEMBER 4, 2021. (NOTE: THE TITLE COMMITMENT COVERS THE ENTIRE PARENT TRACT AND NOT JUST THE SUBJECT PROPERTY) THE ITEMS FROM SCHEDULE B ARE ADDRESSED AS FOLLOWS:

10. DEED OF DEDICATION RECORDED IN DOCUMENT NO. 2009112023 OF THE RECORDS OF THE TULSA COUNTY CLERK DOES NOT AFFECT THE SUBJECT PROPERTY.

11. EASEMENT RECORDED IN BOOK 1311, PAGE 445 OF THE RECORDS OF THE TULSA COUNTY CLERK DOES NOT AFFECT THE SUBJECT PROPERTY.

12. EASEMENT RECORDED IN DOCUMENT NO. 2006047565 OF THE RECORDS OF THE TULSA COUNTY CLERK; CORRECTED EASEMENT RECORDED OCTOBER 30, 2007, IN DOCUMENT NO. 2007121730, OF THE RECORDS OF THE TULSA COUNTY CLERK DOES NOT AFFECT THE SUBJECT PROPERTY.

13. EASEMENT RECORDED IN DOCUMENT NO. 2010007545 OF THE RECORDS OF THE TULSA COUNTY CLERK DOES NOT AFFECT THE SUBJECT PROPERTY



LOCATION MAP

SCALE: 1"=2000'

LEGEND

U/E UTILITY EASEMENT	IRB IRRIGATION CONTROL BOX
CB CHORD BEARING	TSB TRAFFIC SIGNAL BOX
RCB REINFORCED CONCRETE BOX	○ CLEAN OUT
RCP REINFORCED CONCRETE PIPE	M/P METER POINT
○ SEWER MANHOLE	• GUARD POST
● POWER POLE	▣ ROOF DRAIN
★ LIGHT POLE	— SIGN
▣ WATER METER	CONCRETE
⊕ WATER VALVE	ASPHALT
⬢ FIRE HYDRANT	▣ SINGLE GRATE DROP INLET
△ GAS METER	▣ DOUBLE GRATE DROP INLET
⊠ GAS SERVICE	— FENCE LINE
⊠ GAS VALVE	> GUY ANCHOR
● TELEPHONE PEDESTAL	—OH— OVERHEAD UTILITIES
▣ TELEPHONE SERVICE	—SS— SANITARY SEWER LINE
▣ CABLE PEDESTAL	—ST— STORM SEWER LINE
▣ ELECTRIC SERVICE	—E— UNDERGROUND ELECTRIC
▣ ELECTRIC PEDESTAL	—C— UNDERGROUND CABLE
AC AIR CONDITIONER UNIT	
ET ELECTRIC TRANSFORMER	

BEFORE YOU DIG,
CALL OKIE FOR
LOCATION OF
UNDERGROUND UTILITIES.
DIAL 811

ALTA/NSPS LAND
TITLE SURVEY

OF:

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (S/2 SW/4) OF SECTION 13, TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE S/2 OF THE SW/4; THENCE SOUTH 01°15'25" EAST ALONG THE WEST LINE OF THE S/2 OF THE SW/4 FOR 16.00 FEET; THENCE NORTH 88°39'53" EAST FOR 58.78 FEET TO THE SOUTHWEST CORNER OF BISHOP MARKET SQUARE, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6896; THENCE SOUTH 01°15'25" EAST PARALLEL WITH AND 58.78 FEET EAST OF THE WEST LINE OF THE S/2 OF THE SW/4 FOR 400.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°39'53" EAST FOR 251.22 FEET; THENCE SOUTH 01°15'25" EAST FOR 330.00 FEET; THENCE SOUTH 88°39'53" WEST FOR 227.65 FEET TO A POINT ON THE CENTERLINE OF THE ABANDONED MIDLAND VALLEY RAILROAD AND THE NORTH LINE OF TIDAL WAVE ADDITION, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6943; THENCE NORTH 47°50'32" WEST ALONG THE NORTH LINE OF TIDAL WAVE ADDITION FOR 44.54 FEET TO THE NORTHERN MOST CORNER OF TIDAL WAVE ADDITION, THENCE NORTH 01°15'25" WEST PARALLEL WITH AND 50.0 FEET EAST OF THE WEST LINE OF THE S/2 OF THE SW/4 FOR 206.50 FEET; THENCE SOUTH 47°50'32" EAST FOR 12.09 FEET; THENCE NORTH 01°15'25" WEST PARALLEL WITH AND 58.78 FEET EAST OF THE WEST LINE OF THE S/2 OF THE SW/4 FOR 101.17 FEET TO THE POINT OF BEGINNING.

CERTIFICATE

WHITE SURVEYING COMPANY, AN OKLAHOMA CORPORATION, AND THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY TO:

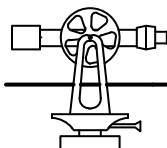
G&B RESOURCES, LLC
APEX TITLE & CLOSING SERVICES, LLC
STEWART TITLE GUARANTY COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8 AND 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 28, 2022.



WHITE SURVEYING COMPANY
CERTIFICATE OF
AUTHORIZATION NO. CA1098

BY: *Randy K. Shoefstall* DATE: 4/6/22
REGISTERED PROFESSIONAL LAND
SURVEYOR OKLAHOMA NO. 1676



WHITE SURVEYING COMPANY
providing land surveying services since 1940

9936 E. 55th Place • Tulsa, OK 74146 • 918.663.6924 • 918.664.8366 fax



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: O.C. Walker, Director of Development Services
Date: Monday, May 15, 2023
Name: Golden Horseshoe
RE: Preliminary and Final Plat BXPT-23.05
Location: East of South Memorial Drive and 600 feet North of East 151st Street
South, Bixby, Oklahoma 74008
STR: Section 13, Township 17N, Range 13E
Applicant: Olsson, Inc., Austin Mayes

Site Stats:

Acres: 1.94 Ac+/-	Min. Lot Width: 165 Ft.	DU/acre: N/A
Number of Lots: 2 Lots	Number of Blocks: 1 Block	Reserve Areas: N/A

Request:

Olsson, Inc., is requesting Preliminary and Final Plat approval for the Golden Horseshoe project located East of South Memorial Drive and 600 feet North of East 151st Street South, Bixby, Oklahoma 74008.

Existing Zoning; Use:

Rezone from Light Industrial (IL) to Commercial Shopping (CS) BXZO 23.02.

Abutting Zoning; Use:

North: (IL) Mabrey Bank
East: (IL) Light Industrial
South: (IL) Vacant/ (CG) Commercial (Car Wash)
West: (CS) Commercial Shopping Center

Figure 1: City of Bixby Zoning Map



Staff Review

The applicant is requesting a Preliminary and Final Plat. The plat will allow two (2) lots to be used for entertainment and eating establishments other than drive-ins (Use Unit No 12). The property is currently vacant, and there is an existing curb cut for driveway access. There is a 17.5' utility easement around the perimeter of the lot.

Utilities/Site Area: There is an existing 12" waterline that runs East and West along 151st Street South and North and South along Memorial Drive. There is also an 8" sanitary sewer line that is located East of the project site

Planning Review Comments:

- Provide ground elevations on property on or at 2” contour intervals
- Show existing finish contours in one-foot (1’) intervals
- On the Preliminary Plat show the names of adjacent subdivisions
- Indicate zoning district boundary lines
- At tie ingress and egress point to the site provide a line of sight triangles

Engineering Review Comments: None received at the time of writing this report.

Public Comments: No comments have been received at the time of writing.

Staff Comments:

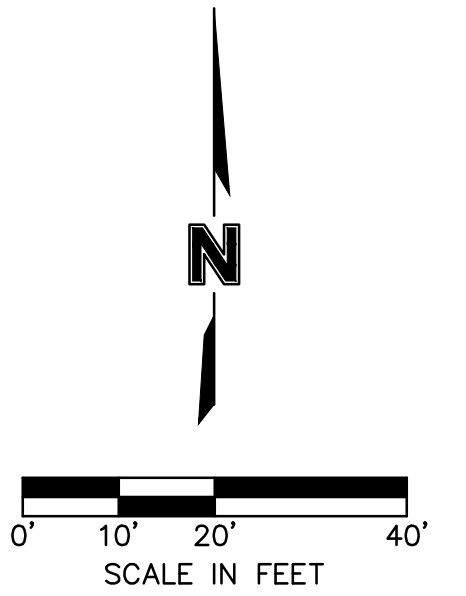
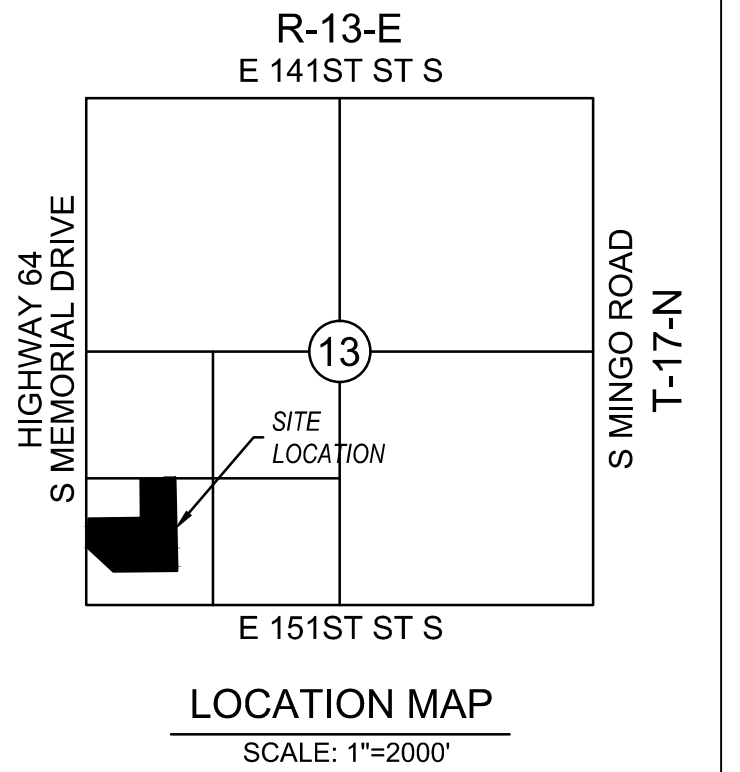
1. Staff recommends this item be approved subject to Preliminary Plat and Final Plat with Planning and Engineering comments implemented to the Plat before moving to Council.

Figures: Figure 1: City of Bixby Zoning Map

Attachments: Exhibit A: Preliminary Plat by Olsson, Inc.
Exhibit B: Final Plat with Deed of Dedication by Olsson, Inc.

PRELIMINARY PLAT
GOLDEN HORSESHOE

A SUBDIVISION IN THE CITY OF BIXBY, BEING A PART OF THE S/2 OF THE SW/4 OF SECTION 13, TOWNSHIP 17 NORTH,
RANGE 13 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA



OWNER:
GOLDEN HORSESHOE
DEVELOPMENT, LLC
JIM ROBERTS, MANAGER
801 W. 91st ST.
TULSA, OK 74132
918-284-7552
EMAIL: JIMROBERTS@SBCGLOBAL.NET

ENGINEER:
OLSSON, INC.
AUSTIN MAYES, PE
OK C.A. No. 2493 (PEILS)
EXPIRES JUNE 30, 2023
1717 S. BOULDER AVE., STE 600
TULSA, OK 74119
918-376-4294
EMAIL: AMAYES@OLSSON.COM

SURVEYOR:
FRITZ LAND
SURVEYING, LLC
ANDY FRITZ, PLS
OK C.A. No. 5848 (LS)
EXPIRES JUNE 30, 2024
2017 W. 91st ST.
TULSA, OK 74132
918-231-0575

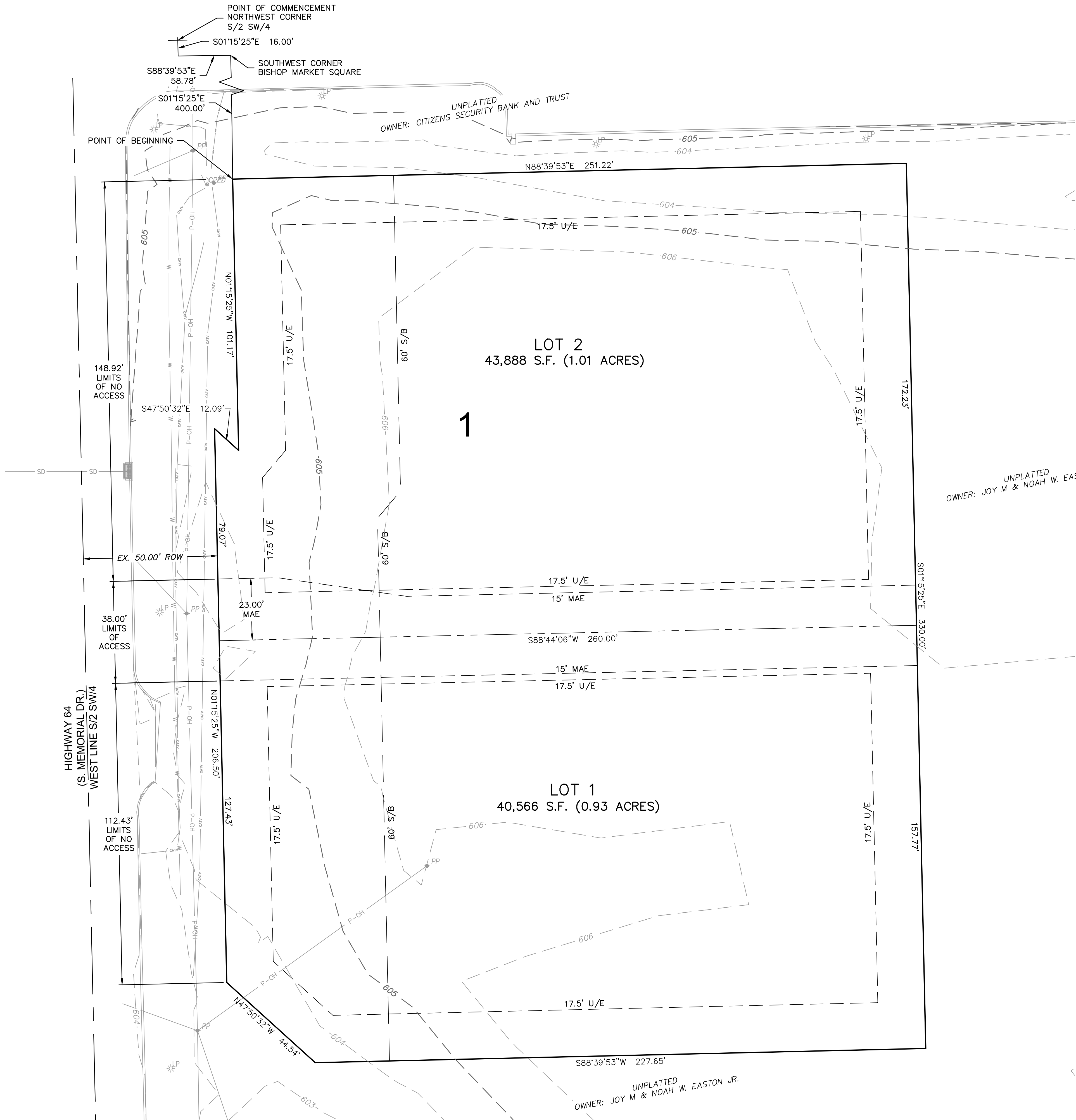
UTILITY PROVIDERS

CITY OF BIXBY
WATER & SANITARY SEWER
DEPARTMENT
ATTN: JUSTIN DOWD
116 W. NEEDLES
P.O. BOX 70
BIXBY, OKLAHOMA 74008
918.366.4430

OKLAHOMA NATURAL GAS
COMPANY
ATTN: BRANDON RAINBOLT
5848 EAST 15TH STREET
SERVICE CENTER TULSA,
OKLAHOMA 74112
OFFICE 918.947.7098
CELL 918.629.1072

OG+E
ATTN: KEITH MELSON
18511 W. HWY. 33
SAPULPA, OK 74066
OFFICE 918.227.6206
CELL 918.290.1368

AT&T
ATTN: KEVIN BENDER
15901 E. SKELLY DR.
TULSA, OKLAHOMA 74116
OFFICE 539.444.1073
CELL 918.859.9147



ZONING REQUIREMENTS

CURRENT ZONING: IL - INDUSTRIAL LIGHT DISTRICT
PROPOSED ZONING: CS - SHOPPING CENTER DISTRICT

MIN. FRONTAGE
ARTERIAL: 150.00'
NOT AN ARTERIAL: 50.00'
BUILDING SETBACK: 60.00'
FLOOR AREA RATIO (MAX.): 0.50
SETBACK FROM CENTERLINE OF ARTERIAL: 50.00'
MAX. BUILDING HEIGHT: 70.00' OR 5 STORIES

PLAT DATA

SUBDIVISION CONTAINS
2 LOTS ON 1 BLOCK

TOTAL AREA
84,453.35 S.F.
(1.94 ACRES)

FEMA INFORMATION

FIRM PANEL 40143C0434L
10/16/2012
ZONE X

LEGEND AND ABBREVIATIONS

PROPOSED STREET CENTERLINE
SECTION LINE / 1/4 SECTION LINE
PROPOSED PROPERTY BOUNDARY
PROPOSED LOT LINE
PROPOSED RIGHT OF WAY
PROPOSED EASEMENT LINE
PROPOSED BUILDING SETBACK
EXISTING LOT LINES
EXISTING EASEMENT LINE
EXISTING
B/L
U/E
D/E
MAE
S/B

EXISTING
BUILDING LINE
UTILITY EASEMENT
DRAINAGE EASEMENT
MUTUAL ACCESS EASEMENT
BUILDING SETBACK

PRELIMINARY PLAT

GOLDEN HORSESHOE

A SUBDIVISION IN THE CITY OF BIXBY, BEING A PART OF THE S/2 OF THE SW/4 OF SECTION 13, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

GOLDEN HORSESHOE DEVELOPMENT, LLC, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (S/2 SW/4) OF SECTION 13, TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE S/2 OF THE SW/4;

THENCE SOUTH 01°15'25" EAST ALONG THE WEST LINE OF THE S/2 OF THE SW/4 FOR 16.00 FEET;

THENCE NORTH 88°39'53" EAST FOR 58.78 FEET TO THE SOUTHWEST CORNER OF BISHOP MARKET SQUARE, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6896;

THENCE SOUTH 01°15'25" EAST PARALLEL WITH AND 58.78 FEET EAST OF THE WEST LINE OF THE S/2 OF THE SW/4 FOR 400.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 88°39'53" EAST FOR 251.22 FEET;

THENCE SOUTH 01°15'25" EAST FOR 330.00 FEET;

THENCE SOUTH 88°39'53" WEST FOR 227.65 FEET TO A POINT ON THE CENTERLINE OF THE ABANDONED MIDLAND VALLEY RAILROAD AND THE NORTH LINE OF TIDAL WAVE ADDITION, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6943;

THENCE NORTH 47°50'32" WEST ALONG THE NORTH LINE OF THE TIDAL WAVE ADDITION FOR 44.54 FEET TO THE NORTHERN MOST CORNER OF TIDAL WAVE ADDITION;

THENCE NORTH 01°15'25" WEST PARALLEL WITH AND 50.0 FEET EAST OF THE WEST LINE OF THE S/2 OF THE SW/4 FOR 206.50 FEET;

THENCE SOUTH 47°50'32" EAST FOR 12.09 FEET;

THENCE NORTH 01°15'25" WEST PARALLEL WITH AND 58.78 FEET EAST OF THE WEST LINE OF S/2 OF THE SW/4 FOR 101.17 FEET TO THE POINT OF BEGINNING.

THE PROPERTY DESCRIBED HEREON CONTAINS 1.94 ACRES, MORE OR LESS.

AND HAVE CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED, GRANTED, DONATED, CONVEYED, AND DEDICATED, ACCESS RIGHTS RESERVED, AND SUBDIVIDED INTO TWO (2) LOTS AND ONE (1) BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "GOLDEN HORSESHOE" A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "GOLDEN HORSESHOE" OR THE "SUBDIVISION").

SECTION I. EASEMENTS AND UTILITIES

A. GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UIE" 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 RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/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 UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY-PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

- 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 HERE AND ELSEWHERE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION 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 EASEMENT WAYS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL EASEMENT WAYS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON HIS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH B SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER AND STORM SEWER SERVICES

- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON HIS LOT.
- WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION 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 OR STORM SEWERS SHALL BE PROHIBITED.
- THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF PUBLIC WATER AND 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 OF HIS LOT, HIS AGENTS OR CONTRACTORS.
- 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.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH 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

- THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT OR AS 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.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTERATION, GRADE, OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR ITS AGENTS OR CONTRACTORS
- 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.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

E. SURFACE AND UNDERGROUND DRAINAGE

- EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS FOR THE PURPOSE OF PERMITTING THE FLOW, CONVEYANCE AND DISCHARGE OF STORM WATER RUNOFF FROM PROPERTIES WITHIN THE SUBDIVISION. 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 ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.
- DRAINAGE FACILITIES OR OTHER IMPROVEMENTS CONSTRUCTED IN THE SUBDIVISION SHALL BE IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF BIXBY, OKLAHOMA.

F. OFF-SITE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM OFF-SITE PROPERTIES AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS FOR THE PURPOSE OF PERMITTING THE FLOW, CONVEYANCE AND DISCHARGE OF STORM WATER RUNOFF FROM OFF-SITE PROPERTIES THROUGH THE SUBDIVISION. 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 ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.

G. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO PROPERLY-PERMITTED LANDSCAPING AND PAVING OCCASIONED BY NECESSARY INSTALLATION OR 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.

H. LIMITS OF NO ACCESS

THE OWNERS HEREBY RELINQUISH RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO S. MEMORIAL DRIVE 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 PLANNING COMMISSION, OR ITS SUCCESSOR, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF BIXBY.

I. MUTUAL ACCESS EASEMENT

THE OWNERS OF THE TRACTS IN WHICH THE EASEMENTS ARE LOCATED HEREIN ESTABLISH, FOR THE BENEFIT OF THE OWNERS AND THEIR RESPECTIVE SUCCESSORS IN TITLE TO THE LOTS WITHIN THE SUBDIVISION, A PERPETUAL NON-EXCLUSIVE MUTUAL ACCESS EASEMENT FOR THE PURPOSES OF PERMITTING VEHICULAR AND PEDESTRIAN PASSAGE TO AND FROM THE LOTS WITHIN THE SUBDIVISION TO AND FROM S. MEMORIAL DRIVE, AND TO AND FROM ANY OTHER PUBLIC OR PRIVATE ROADWAY OR ACCESS EASEMENT ADJACENT TO THE SUBDIVISION, ON, OVER AND ACROSS THE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "MUTUAL ACCESS EASEMENT". THE MAINTENANCE OF THE MUTUAL ACCESS EASEMENT WILL BE THE RESPONSIBILITY OF A PROPERTY OWNERS ASSOCIATION THAT WILL BE FORMED BY THE OWNERS. A SEPARATE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THIS SUBDIVISION WILL BE RECORDED AT TULSA COUNTY CLERK OFFICE.

J. MUTUAL PARKING PRIVILEGES

ALL LOTS WITHIN THIS SUBDIVISION MAY ALLOW THEIR EXCESS PARKING SPACES TO BE USED BY PATRONS OF ADJACENT LOTS. THE MAINTENANCE OF THESE SHARED PARKING SPACES SHOULD BE AGREED UPON BETWEEN THE AFFECTED LOT OWNERS.

K. MAINTENANCE OF LOTS

EACH OWNER SHALL BE RESPONSIBLE FOR MAINTAINING ALL PORTIONS OF ITS LOT AND ANY STRUCTURE CONSTRUCTED ON THAT LOT, INCLUDING WITHOUT LIMITATION, ALL IMPROVEMENTS, UTILITIES, DRAINAGE, PAVING, LANDSCAPING, AND BUILDINGS. EACH OWNER IS REQUIRED TO UPKEEP ITS LOT FREE OF TRASH, DEBRIS, AND LITTER.

SECTION II. PROPERTY OWNERS' ASSOCIATION

A. FORMATION OF PROPERTY OWNERS' ASSOCIATION

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF THE LOTS WITHIN THE "GOLDEN HORSESHOE" (HEREINAFTER REFERRED TO AS THE "PROPERTY OWNERS' ASSOCIATION") 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 "GOLDEN HORSESHOE", INCLUDING BUT WITHOUT LIMITATION FOR THE FURTHER PURPOSES OF ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF "GOLDEN HORSESHOE". THE DETAILS OF MEMBERSHIP IN THE PROPERTY OWNERS' ASSOCIATION SHALL BE ESTABLISHED BY ITS ORGANIZATIONAL DOCUMENTS, INCLUDING BUT NOT NECESSARILY LIMITED TO ARTICLES OF INCORPORATION AND BYLAWS.

B. ASSESSMENT

THE RECORD OWNER OR OWNERS OF EACH LOT WITHIN "GOLDEN HORSESHOE" SHALL BE SUBJECT TO ASSESSMENT BY THE PROPERTY OWNERS' ASSOCIATION FOR THE PURPOSES OF MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION, INCLUDING BUT NOT LIMITED TO THE MUTUAL ACCESS EASEMENTS, DRIVES, AND PARKING AREAS. EACH LOT SHALL BE RESPONSIBLE FOR A PART OF THE TOTAL ASSESSMENT FOR SUCH PURPOSES AS DETERMINED BY THE PROPERTY OWNERS' ASSOCIATION. THE PART ALLOCATED TO EACH LOT SHALL EQUAL THE TOTAL ASSESSMENT MULTIPLIED BY A FRACTION WHOSE NUMERATOR IS THE TOTAL AREA OF THE LOT IN SQUARE FEET AND WHOSE DENOMINATOR IS THE TOTAL AREA OF "GOLDEN HORSESHOE" IN SQUARE FEET.

C. LIEN FOR UNPAID ASSESSMENT

ANY LOT WHOSE OWNER FAILS TO PAY ITS ASSESSMENT WHEN DUE SHALL BE SUBJECT TO A LIEN FOR THE AMOUNT OF SUCH UNPAID ASSESSMENT, AND SUCH LIEN SHALL ACCRUE INTEREST AT THE SAME RATE AS JUDGMENTS AS PUBLISHED IN THE OKLAHOMA BAR JOURNAL OR IF THE JUDGMENT INTEREST RATE IS NO LONGER PUBLISHED IN SAID OKLAHOMA BAR JOURNAL THEN AT A RATE OF INTEREST EQUAL TO SOME OTHER PUBLICLY RECOGNIZED STANDARD CHOSEN BY THE PROPERTY OWNERS' ASSOCIATION. HOWEVER, THIS LIEN SHALL BE SUBORDINATE TO THE LIEN OF ANY MORTGAGE THAT IS RECORDED PRIOR TO THE DATE SUCH LIEN BECAME DUE.

D. LOT MAINTENANCE

EACH LOT OWNER, TENANT, OR OCCUPANT SHALL KEEP ITS BUILDINGS, IMPROVEMENTS AND APPURTENANCES IN A SAFE, CLEAN, MAINTAINED, NEAT AND WHOLESOME CONDITION. EACH SUCH OWNER, TENANT, OR OCCUPANT SHALL REMOVE, AT ITS OWN EXPENSE, ANY RUBBISH OR TRASH OF ANY CHARACTER WHICH MAY ACCUMULATE ON THEIR LOT. RUBBISH, TRASH, GARBAGE, OR OTHER WASTE SHALL BE KEPT ONLY IN SUITABLE, CLEAN, AND SANITARY CONTAINERS AND EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIALS.

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 AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I, EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION 1, 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, PROPERTY OWNERS' ASSOCIATION SHALL INURE TO THE BENEFIT OF THE OWNERS AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS. IF ANY OF THE OWNERS OR THEIR RESPECTIVE SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTIONS I & II, IT SHALL BE LAWFUL FOR THE CITY OF BIXBY, ANY OWNER OF ANY PART OF THE SUBDIVISION, OR THE 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. IF ANY OF THE OWNERS, OR THEIR RESPECTIVE SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION III IT SHALL BE LAWFUL FOR ANY OWNER OF ANY PART OF THE SUBDIVISION, OR THE 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. 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 ANY PART OF THE SUBDIVISION WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED IN SECTIONS II, OR III, 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 AND COVENANTS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE RESTRICTIONS AND COVENANTS CONTAINED WITHIN SECTION 1, 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, OR ITS SUCCESSORS. THE COVENANTS CONTAINED WITHIN SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS, AND SECTION III, PROPERTY OWNER'S ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY ENCORE II, LLC DURING SUCH PERIOD THAT BIXBY LAND GROUP, LLC IS THE OWNER OF AT LEAST 75% OF THE LOTS WITHIN "GOLDEN HORSESHOE" AND APPROVED BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS; OR ALTERNATIVELY THE COVENANTS CONTAINED WITHIN SECTION II, OR SECTION III, 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 AND APPROVED BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY GOLDEN HORSESHOE DEVELOPMENT, LLC (DURING ITS OWNERSHIP OF AT LEAST 75% OF THE LOTS WITHIN THE SUBDIVISION), AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF 75% OF THE LOTS IN THE SUBDIVISION, THE INSTRUMENT EXECUTED BY GOLDEN HORSESHOE DEVELOPMENT, LLC SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

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

PRELIMINARY PLAT

GOLDEN HORSESHOE

A SUBDIVISION IN THE CITY OF BIXBY, BEING A PART OF THE S/2 OF THE SW/4 OF SECTION 13, TOWNSHIP 17 NORTH,
RANGE 13 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

OWNER'S CERTIFICATE AND DEDICATION

IN WITNESS WHEREOF, GOLDEN HORSESHOE DEVELOPMENT, LLC, HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2023.

GOLDEN HORSESHOE DEVELOPMENT, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
MANAGING MEMBER

STATE OF OKLAHOMA)
) S.S.
COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023,

BY _____ AS A MANAGING MEMBER OF GOLDEN HORSESHOE DEVELOPMENT, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY.

MY COMMISSION EXPIRES

NOTARY PUBLIC

CERTIFICATE OF SURVEY

I ANDY FRITZ OF TULSA COUNTY, STATE OF OKLAHOMA, AND A PROFESSIONAL SURVEYOR, 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 "GOLDEN HORSESHOE", 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 OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

EXECUTED THIS ____ DAY OF _____, 2023.

ANDY FRITZ
FRITZ LAND SURVEYING, LLC
LICENSED PROFESSIONAL LAND SURVEYOR OKLAHOMA NO. 1694
CA #5848 RENEWAL DATE JUNE 30TH, 2024

STATE OF OKLAHOMA)
) SS
COUNTY OF OKLAHOMA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2023, PERSONALLY APPEARED ANDY FRITZ TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF THE MAKER THEREOF TO THE FOREGOING INSTRUMENT, AND DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID COMPANY, FOR THE USES AND PURPOSES THEREIN SET FORTH.

MY COMMISSION EXPIRES:

EXPIRATION DATE

NOTARY PUBLIC

CERTIFICATE OF TULSA COUNTY CLERK

I, MICHAEL WILLIS, THE COUNTY CLERK OF TULSA COUNTY, DO HERE NOW STATE THAT THE SUBDIVISION CALLED GOLDEN HORSESHOE HAS BEEN FILED INTO TULSA COUNTY RECORDS.

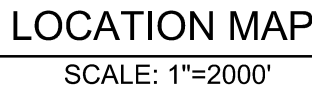
MICHAEL WILLIS, TULSA COUNTY CLERK

CERTIFICATE OF TULSA COUNTY TREASURER

I, JOHN M. FOTHERGILL, DO HERE NOW STATE THAT THE TAXES HAVE BEEN PAID FOR THE YEAR 2022 AND PRIOR YEARS FOR THOSE PROPERTIES HEREIN LISTED TO BE DESIGNATED AS GOLDEN HORSESHOE.

JOHN M. FOTHERGILL, TULSA COUNTY TREASURER

A SUBDIVISION IN THE CITY OF BIXBY, BEING A PART OF THE S/2 OF THE SW/4 OF SECTION 13, TOWNSHIP 17 NORTH,
RANGE 13 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA



**SURVEYOR:
FRITZ LAND
SURVEYING, LLC**
ANDY FRITZ, PLS
OK C.A. No. 5848 (LS)
EXPIRES JUNE 30, 2024
2017 W. 91st ST.
TULSA, OK 74132
918-231-0575

CITY OF BIXBY
WATER & SANITARY SEWER
DEPARTMENT
ATTN: JUSTIN DOWD
PO BOX 70
BIXBY, OKLAHOMA 74008
918.366.4430

OKLAHOMA NATURAL GAS
COMPANY
ATTN: BRANDON RAINBOLT
5848 EAST 15TH STREET
SECTER CENTER TULSA,
OKLAHOMA 74112
CELL 918.847.7098
CELL 918.629.1072

OG+E
ATTN: KEITH NELSON
18511 W. HWY. 33
TULSA, OK 74106
OFFICE 918.227.6206
CELL 918.290.1368

AT&T
ATTN: KEVIN BENDER
19901 S. SKELTON DR.
TULSA, OKLAHOMA 74116
OFFICE 539.444.1073
CELL 918.859.9147

CURRENT ZONING:	IL - INDUSTRIAL LIGHT DISTRICT
PROPOSED ZONING:	CS - SHOPPING CENTER DISTRICT
MIN. FRONTAGE	
ARTERIAL:	150.00'
NOT AN ARTERIAL:	50.00'
BUILDING SETBACK:	60.00'
FLOOR AREA RATIO (MAX.):	0.50
SETBACK FROM CENTERLINE OF ARTERIAL:	50.00'
MAX. BUILDING HEIGHT:	70.00' OR 5 STORIES

SUBDIVISION CONTAINS
2 LOTS ON 1 BLOCK

TOTAL AREA
84,453.35 S.F.
(1.94 ACRES)

FIRM PANEL 40143C0434L
10/16/2012
ZONE X

_____	PROPOSED STREET CENTERLINE
_____ - - _____	SECTION LINE / 1/4 SECTION LINE
=====	PROPOSED PROPERTY BOUNDARY
_____ - - - - -	PROPOSED LOT LINE
=====	PROPOSED RIGHT OF WAY
- - - - -	PROPOSED EASEMENT LINE
_____	PROPOSED BUILDING SETBACK
_____ - - - - -	EXISTING LOT LINES
- - - - -	EXISTING EASEMENT LINE
EX.	EXISTING
B/L	BUILDING LINE
U/E	UTILITY EASEMENT
D/E	DRAINAGE EASEMENT
MAE	MUTUAL ACCESS EASEMENT
S/B	BUILDING SETBACK



UNPLATTED
OWNER: JOY M & NOAH W. EASTON JR.

FINAL PLAT

GOLDEN HORSESHOE

A SUBDIVISION IN THE CITY OF BIXBY, BEING A PART OF THE S/2 OF THE SW/4 OF SECTION 13, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

GOLDEN HORSESHOE DEVELOPMENT, LLC, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (S/2 SW/4) OF SECTION 13, TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE S/2 OF THE SW/4;

THENCE SOUTH 01°15'25" EAST ALONG THE WEST LINE OF THE S/2 OF THE SW/4 FOR 16.00 FEET;

THENCE NORTH 88°39'53" EAST FOR 58.78 FEET TO THE SOUTHWEST CORNER OF BISHOP MARKET SQUARE, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6896;

THENCE SOUTH 01°15'25" EAST PARALLEL WITH AND 58.78 FEET EAST OF THE WEST LINE OF THE S/2 OF THE SW/4 FOR 400.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 88°39'53" EAST FOR 251.22 FEET;

THENCE SOUTH 01°15'25" EAST FOR 330.00 FEET;

THENCE SOUTH 88°39'53" WEST FOR 227.65 FEET TO A POINT ON THE CENTERLINE OF THE ABANDONED MIDLAND VALLEY RAILROAD AND THE NORTH LINE OF TIDAL WAVE ADDITION, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6943;

THENCE NORTH 47°50'32" WEST ALONG THE NORTH LINE OF THE TIDAL WAVE ADDITION FOR 44.54 FEET TO THE NORTHERN MOST CORNER OF TIDAL WAVE ADDITION;

THENCE NORTH 01°15'25" WEST PARALLEL WITH AND 50.0 FEET EAST OF THE WEST LINE OF THE S/2 OF THE SW/4 FOR 206.50 FEET;

THENCE SOUTH 47°50'32" EAST FOR 12.09 FEET;

THENCE NORTH 01°15'25" WEST PARALLEL WITH AND 58.78 FEET EAST OF THE WEST LINE OF S/2 OF THE SW/4 FOR 101.17 FEET TO THE POINT OF BEGINNING.

THE PROPERTY DESCRIBED HEREON CONTAINS 1.94 ACRES, MORE OR LESS.

AND HAVE CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED, GRANTED, DONATED, CONVEYED, AND DEDICATED, ACCESS RIGHTS RESERVED, AND SUBDIVIDED INTO TWO (2) LOTS AND ONE (1) BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "GOLDEN HORSESHOE" A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "GOLDEN HORSESHOE" OR THE "SUBDIVISION").

SECTION I. EASEMENTS AND UTILITIES

A. GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UIE" 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 RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/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 UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY-PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE HERE AND ELSEWHERE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION 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 EASEMENT WAYS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

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

4. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON HIS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER 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 EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER AND STORM SEWER SERVICES

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 HIS LOT.

2. 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, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS OR STORM SEWERS SHALL BE PROHIBITED.

3. THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF PUBLIC WATER AND 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 OF HIS LOT, HIS 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 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 EASEMENTS SHOWN ON THE PLAT OR AS 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 THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTERATION, GRADE, OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR ITS AGENTS OR CONTRACTORS

3. 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.

4. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

E. SURFACE AND UNDERGROUND DRAINAGE

1. EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS FOR THE PURPOSE OF PERMITTING THE FLOW, CONVEYANCE AND DISCHARGE OF STORM WATER RUNOFF FROM PROPERTIES WITHIN THE SUBDIVISION. 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 ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.

2. DRAINAGE FACILITIES OR OTHER IMPROVEMENTS CONSTRUCTED IN THE SUBDIVISION SHALL BE IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF BIXBY, OKLAHOMA.

F. OFF-SITE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM OFF-SITE PROPERTIES AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS FOR THE PURPOSE OF PERMITTING THE FLOW, CONVEYANCE AND DISCHARGE OF STORM WATER RUNOFF FROM OFF-SITE PROPERTIES THROUGH THE SUBDIVISION. 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 ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.

G. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO PROPERLY-PERMITTED LANDSCAPING AND PAVING OCCASIONED BY NECESSARY INSTALLATION OR 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.

H. LIMITS OF NO ACCESS

THE OWNERS HEREBY RELINQUISH RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO S. MEMORIAL DRIVE 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 PLANNING COMMISSION, OR ITS SUCCESSOR, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF BIXBY.

I. MUTUAL ACCESS EASEMENT

THE OWNERS OF THE TRACTS IN WHICH THE EASEMENTS ARE LOCATED HEREIN ESTABLISH, FOR THE BENEFIT OF THE OWNERS AND THEIR RESPECTIVE SUCCESSORS IN TITLE TO THE LOTS WITHIN THE SUBDIVISION, A PERPETUAL NON-EXCLUSIVE MUTUAL ACCESS EASEMENT FOR THE PURPOSES OF PERMITTING VEHICULAR AND PEDESTRIAN PASSAGE TO AND FROM THE LOTS WITHIN THE SUBDIVISION TO AND FROM S. MEMORIAL DRIVE, AND TO AND FROM ANY OTHER PUBLIC OR PRIVATE ROADWAY OR ACCESS EASEMENT ADJACENT TO THE SUBDIVISION, ON, OVER AND ACROSS THE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "MUTUAL ACCESS EASEMENT". THE MAINTENANCE OF THE MUTUAL ACCESS EASEMENT WILL BE THE RESPONSIBILITY OF A PROPERTY OWNERS ASSOCIATION THAT WILL BE FORMED BY THE OWNERS. A SEPARATE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THIS SUBDIVISION WILL BE RECORDED AT TULSA COUNTY CLERK OFFICE.

J. MUTUAL PARKING PRIVILEGES

ALL LOTS WITHIN THIS SUBDIVISION MAY ALLOW THEIR EXCESS PARKING SPACES TO BE USED BY PATRONS OF ADJACENT LOTS. THE MAINTENANCE OF THESE SHARED PARKING SPACES SHOULD BE AGREED UPON BETWEEN THE AFFECTED LOT OWNERS.

K. MAINTENANCE OF LOTS

EACH OWNER SHALL BE RESPONSIBLE FOR MAINTAINING ALL PORTIONS OF ITS LOT AND ANY STRUCTURE CONSTRUCTED ON THAT LOT, INCLUDING WITHOUT LIMITATION, ALL IMPROVEMENTS, UTILITIES, DRAINAGE, PAVING, LANDSCAPING, AND BUILDINGS. EACH OWNER IS REQUIRED TO UPKEEP ITS LOT FREE OF TRASH, DEBRIS, AND LITTER.

SECTION II. PROPERTY OWNERS' ASSOCIATION

A. FORMATION OF PROPERTY OWNERS' ASSOCIATION

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF THE LOTS WITHIN THE "GOLDEN HORSESHOE" (HEREINAFTER REFERRED TO AS THE "PROPERTY OWNERS' ASSOCIATION") 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 "GOLDEN HORSESHOE", INCLUDING BUT WITHOUT LIMITATION FOR THE FURTHER PURPOSES OF ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF "GOLDEN HORSESHOE". THE DETAILS OF MEMBERSHIP IN THE PROPERTY OWNERS' ASSOCIATION SHALL BE ESTABLISHED BY ITS ORGANIZATIONAL DOCUMENTS, INCLUDING BUT NOT NECESSARILY LIMITED TO ARTICLES OF INCORPORATION AND BYLAWS.

B. ASSESSMENT

THE RECORD OWNER OR OWNERS OF EACH LOT WITHIN "GOLDEN HORSESHOE" SHALL BE SUBJECT TO ASSESSMENT BY THE PROPERTY OWNERS' ASSOCIATION FOR THE PURPOSES OF MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION, INCLUDING BUT NOT LIMITED TO THE MUTUAL ACCESS EASEMENTS, DRIVES, AND PARKING AREAS. EACH LOT SHALL BE RESPONSIBLE FOR A PART OF THE TOTAL ASSESSMENT FOR SUCH PURPOSES AS DETERMINED BY THE PROPERTY OWNERS' ASSOCIATION. THE PART ALLOCATED TO EACH LOT SHALL EQUAL THE TOTAL ASSESSMENT MULTIPLIED BY A FRACTION WHOSE NUMERATOR IS THE TOTAL AREA OF THE LOT IN SQUARE FEET AND WHOSE DENOMINATOR IS THE TOTAL AREA OF "GOLDEN HORSESHOE" IN SQUARE FEET.

C. LIEN FOR UNPAID ASSESSMENT

ANY LOT WHOSE OWNER FAILS TO PAY ITS ASSESSMENT WHEN DUE SHALL BE SUBJECT TO A LIEN FOR THE AMOUNT OF SUCH UNPAID ASSESSMENT, AND SUCH LIEN SHALL ACCRUE INTEREST AT THE SAME RATE AS JUDGMENTS AS PUBLISHED IN THE OKLAHOMA BAR JOURNAL OR IF THE JUDGMENT INTEREST RATE IS NO LONGER PUBLISHED IN SAID OKLAHOMA BAR JOURNAL THEN AT A RATE OF INTEREST EQUAL TO SOME OTHER PUBLICLY RECOGNIZED STANDARD CHOSEN BY THE PROPERTY OWNERS' ASSOCIATION. HOWEVER, THIS LIEN SHALL BE SUBORDINATE TO THE LIEN OF ANY MORTGAGE THAT IS RECORDED PRIOR TO THE DATE SUCH LIEN BECAME DUE.

D. LOT MAINTENANCE

EACH LOT OWNER, TENANT, OR OCCUPANT SHALL KEEP ITS BUILDINGS, IMPROVEMENTS AND APPURTENANCES IN A SAFE, CLEAN, MAINTAINED, NEAT AND WHOLESOME CONDITION. EACH SUCH OWNER, TENANT, OR OCCUPANT SHALL REMOVE, AT ITS OWN EXPENSE, ANY RUBBISH OR TRASH OF ANY CHARACTER WHICH MAY ACCUMULATE ON THEIR LOT. RUBBISH, TRASH, GARBAGE, OR OTHER WASTE SHALL BE KEPT ONLY IN SUITABLE, CLEAN, AND SANITARY CONTAINERS AND EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIALS.

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 AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I, EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION 1, 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, PROPERTY OWNERS' ASSOCIATION SHALL INURE TO THE BENEFIT OF THE OWNERS AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS. IF ANY OF THE OWNERS OR THEIR RESPECTIVE SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTIONS I & II, IT SHALL BE LAWFUL FOR THE CITY OF BIXBY, ANY OWNER OF ANY PART OF THE SUBDIVISION, OR THE 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. IF ANY OF THE OWNERS, OR THEIR RESPECTIVE SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION III IT SHALL BE LAWFUL FOR ANY OWNER OF ANY PART OF THE SUBDIVISION, OR THE 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. 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 ANY PART OF THE SUBDIVISION WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED IN SECTIONS II, OR III, 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 AND COVENANTS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE RESTRICTIONS AND COVENANTS CONTAINED WITHIN SECTION 1, 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, OR ITS SUCCESSORS. THE COVENANTS CONTAINED WITHIN SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS, AND SECTION III, PROPERTY OWNER'S ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY ENCORE II, LLC DURING SUCH PERIOD THAT BIXBY LAND GROUP, LLC IS THE OWNER OF AT LEAST 75% OF THE LOTS WITHIN "GOLDEN HORSESHOE" AND APPROVED BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS; OR ALTERNATIVELY THE COVENANTS CONTAINED WITHIN SECTION II, OR SECTION III, 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 AND APPROVED BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY GOLDEN HORSESHOE DEVELOPMENT, LLC (DURING ITS OWNERSHIP OF AT LEAST 75% OF THE LOTS WITHIN THE SUBDIVISION), AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF 75% OF THE LOTS IN THE SUBDIVISION, THE INSTRUMENT EXECUTED BY GOLDEN HORSESHOE DEVELOPMENT, LLC SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

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

FINAL PLAT

GOLDEN HORSESHOE

A SUBDIVISION IN THE CITY OF BIXBY, BEING A PART OF THE S/2 OF THE SW/4 OF SECTION 13, TOWNSHIP 17 NORTH,
RANGE 13 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

OWNER'S CERTIFICATE AND DEDICATION

IN WITNESS WHEREOF, GOLDEN HORSESHOE DEVELOPMENT, LLC, HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2023.

GOLDEN HORSESHOE DEVELOPMENT, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
MANAGING MEMBER

STATE OF OKLAHOMA)
) S.S.
COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023,

BY _____ AS A MANAGING MEMBER OF GOLDEN HORSESHOE DEVELOPMENT, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY.

MY COMMISSION EXPIRES

NOTARY PUBLIC

CERTIFICATE OF SURVEY

I ANDY FRITZ OF TULSA COUNTY, STATE OF OKLAHOMA, AND A PROFESSIONAL SURVEYOR, 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 "GOLDEN HORSESHOE", 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 OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

EXECUTED THIS ____ DAY OF _____, 2023.

ANDY FRITZ
FRITZ LAND SURVEYING, LLC
LICENSED PROFESSIONAL LAND SURVEYOR OKLAHOMA NO. 1694
CA #5848 RENEWAL DATE JUNE 30TH, 2024

STATE OF OKLAHOMA)
) SS
COUNTY OF OKLAHOMA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2023, PERSONALLY APPEARED ANDY FRITZ TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF THE MAKER THEREOF TO THE FOREGOING INSTRUMENT, AND DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID COMPANY, FOR THE USES AND PURPOSES THEREIN SET FORTH.

MY COMMISSION EXPIRES:

EXPIRATION DATE

NOTARY PUBLIC

CERTIFICATE OF TULSA COUNTY CLERK

I, MICHAEL WILLIS, THE COUNTY CLERK OF TULSA COUNTY, DO HERE NOW STATE THAT THE SUBDIVISION CALLED GOLDEN HORSESHOE HAS BEEN FILED INTO TULSA COUNTY RECORDS.

MICHAEL WILLIS, TULSA COUNTY CLERK

CERTIFICATE OF TULSA COUNTY TREASURER

I, JOHN M. FOTHERGILL, DO HERE NOW STATE THAT THE TAXES HAVE BEEN PAID FOR THE YEAR 2022 AND PRIOR YEARS FOR THOSE PROPERTIES HEREIN LISTED TO BE DESIGNATED AS GOLDEN HORSESHOE.

JOHN M. FOTHERGILL, TULSA COUNTY TREASURER

GENERAL NOTES

INVOICE NO. STK 22-108561

THE BASIS OF BEARINGS IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD83 (2011).

THE PROPERTY DESCRIBED HEREON CONTAINS 1.94 ACRES, MORE OR LESS.

THE PROPERTY DESCRIBED HEREON CONTAINS NO MARKED PARKING SPACES.

BY GRAPHIC PLOTTING ONLY, THE SUBJECT TRACT LIES WITHIN ZONE X SHADED DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD." AS SHOWN ON FIRM MAP PANEL NUMBER 40143C0434L WITH AN EFFECTIVE DATE OF 10/16/2012.

THE PROPERTY DESCRIBED HEREON HAS INGRESS/EGRESS FROM SOUTH MEMORIAL DRIVE (A DEDICATED RIGHT-OF-WAY).

SURVEYOR DID NOT OBSERVE ANY VISIBLE ENCROACHMENTS EXCEPT AS SHOWN ON THE FACE OF THIS SURVEY.

VISIBLE UTILITIES, UTILITIES MARKED BY GPRS (GROUND PENETRATING RADAR SYSTEMS, LLC) PER PRIVATE UTILITY LOCATE REQUEST AND FROM EXISTING ATLAS SHEETS ARE SHOWN, THERE MAY BE OTHERS THE EXISTENCE AND LOCATIONS OF WHICH ARE UNKNOWN. BEFORE DIGGING, CONTACT OKIE811 NO MORE THAN TEN (10) DAYS NOR LESS THAN FORTY-EIGHT (48) HOURS, EXCLUDING THE DATE OF NOTIFICATION, SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS.

SURVEYOR DID NOT OBSERVE EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE FIELD DATE SHOWN HEREON.

THIS SURVEY 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.

ADDRESS: TBD SOUTH MEMORIAL DRIVE, BIXBY, OK

INSTRUMENT NOTES

(X) DENOTES INSTRUMENT SHOWN ON SURVEY

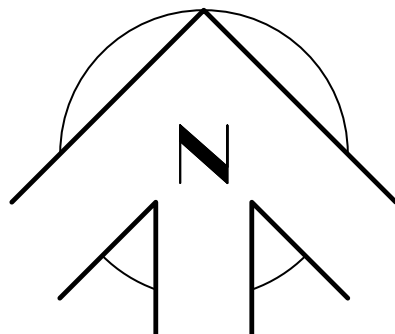
THIS SURVEY WAS PERFORMED WITH THE STEWART TITLE GUARANTY COMPANY'S TITLE COMMITMENT NO. 21153254, DATED NOVEMBER 4, 2021. (NOTE: THE TITLE COMMITMENT COVERS THE ENTIRE PARENT TRACT AND NOT JUST THE SUBJECT PROPERTY) THE ITEMS FROM SCHEDULE B ARE ADDRESSED AS FOLLOWS:

10. DEED OF DEDICATION RECORDED IN DOCUMENT NO. 2009112023 OF THE RECORDS OF THE TULSA COUNTY CLERK DOES NOT AFFECT THE SUBJECT PROPERTY.

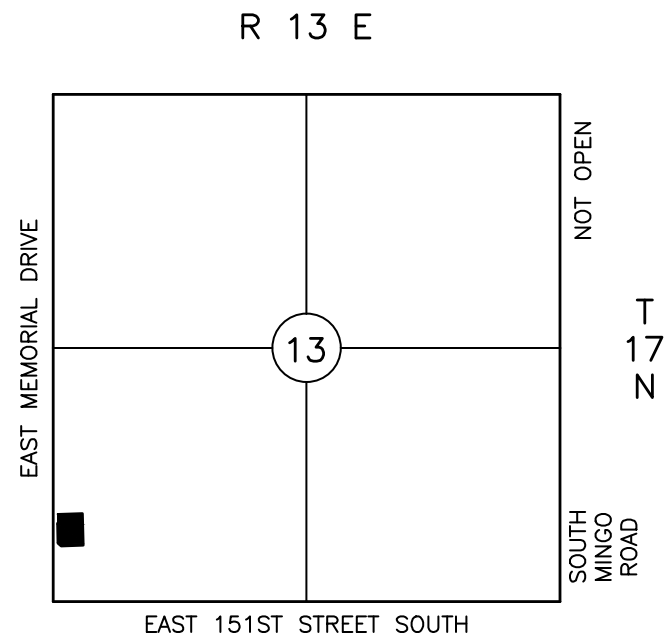
11. EASEMENT RECORDED IN BOOK 1311, PAGE 445 OF THE RECORDS OF THE TULSA COUNTY CLERK DOES NOT AFFECT THE SUBECT PROPERTY.

12. EASEMENT RECORDED IN DOCUMENT NO. 2006047565 OF THE RECORDS OF THE TULSA COUNTY CLERK; CORRECTED EASEMENT RECORDED OCTOBER 30, 2007, IN DOCUMENT NO. 2007121730, OF THE RECORDS OF THE TULSA COUNTY CLERK DOES NOT AFFECT THE SUBJECT PROPERTY.

13. EASEMENT RECORDED IN DOCUMENT NO. 2010007545 OF THE RECORDS OF THE TULSA COUNTY CLERK DOES NOT AFFECT THE SUBJECT PROPERTY



1"=30'



LOCATION MAP

SCALE: 1"=2000'

LEGEND

U/E UTILITY EASEMENT	IRB IRRIGATION CONTROL BOX
CB CHORD BEARING	TSB TRAFFIC SIGNAL BOX
RCB REINFORCED CONCRETE BOX	○ CLEAN OUT
RCP REINFORCED CONCRETE PIPE	M/P METER POINT
○ SEWER MANHOLE	• GUARD POST
● POWER POLE	■ ROOF DRAIN
★ LIGHT POLE	— SIGN
■ WATER METER	CONCRETE
⊕ WATER VALVE	ASPHALT
⬢ FIRE HYDRANT	— SINGLE GRATE DROP INLET
△ GAS METER	— DOUBLE GRATE DROP INLET
□ GAS SERVICE	— FENCE LINE
● GAS VALVE	> GUY ANCHOR
■ TELEPHONE PEDESTAL	—OH— OVERHEAD UTILITIES
□ TELEPHONE SERVICE	—SS— SANITARY SEWER LINE
■ CABLE PEDESTAL	—ST— STORM SEWER LINE
■ ELECTRIC SERVICE	— E — UNDERGROUND ELECTRIC
■ ELECTRIC PEDESTAL	— C — UNDERGROUND CABLE
AC AIR CONDITIONER UNIT	
ET ELECTRIC TRANSFORMER	

BEFORE YOU DIG,
CALL OKIE FOR
LOCATION OF
UNDERGROUND UTILITIES.
DIAL 811

ALTA/NSPS LAND
TITLE SURVEY

OF:

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (S/2 SW/4) OF SECTION 13, TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE S/2 OF THE SW/4; THENCE SOUTH 01°15'25" EAST ALONG THE WEST LINE OF THE S/2 OF THE SW/4 FOR 16.00 FEET; THENCE NORTH 88°39'53" EAST FOR 58.78 FEET TO THE SOUTHWEST CORNER OF BISHOP MARKET SQUARE, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6896; THENCE SOUTH 01°15'25" EAST PARALLEL WITH AND 58.78 FEET EAST OF THE WEST LINE OF THE S/2 OF THE SW/4 FOR 400.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°39'53" EAST FOR 251.22 FEET; THENCE SOUTH 01°15'25" EAST FOR 330.00 FEET; THENCE SOUTH 88°39'53" WEST FOR 227.65 FEET TO A POINT ON THE CENTERLINE OF THE ABANDONED MIDLAND VALLEY RAILROAD AND THE NORTH LINE OF TIDAL WAVE ADDITION, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6943; THENCE NORTH 47°50'32" WEST ALONG THE NORTH LINE OF TIDAL WAVE ADDITION FOR 44.54 FEET TO THE NORTHERN MOST CORNER OF TIDAL WAVE ADDITION, THENCE NORTH 01°15'25" WEST PARALLEL WITH AND 50.0 FEET EAST OF THE WEST LINE OF THE S/2 OF THE SW/4 FOR 206.50 FEET; THENCE SOUTH 47°50'32" EAST FOR 12.09 FEET; THENCE NORTH 01°15'25" WEST PARALLEL WITH AND 58.78 FEET EAST OF THE WEST LINE OF THE S/2 OF THE SW/4 FOR 101.17 FEET TO THE POINT OF BEGINNING.

CERTIFICATE

WHITE SURVEYING COMPANY, AN OKLAHOMA CORPORATION, AND THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY TO:

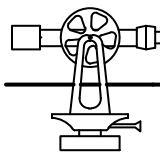
G&B RESOURCES, LLC
APEX TITLE & CLOSING SERVICES, LLC
STEWART TITLE GUARANTY COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8 AND 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 28, 2022.



WHITE SURVEYING COMPANY
CERTIFICATE OF
AUTHORIZATION NO. CA1098

BY: *Randy K. Shoefstall* DATE: 4/6/22
REGISTERED PROFESSIONAL LAND
SURVEYOR OKLAHOMA NO. 1676



WHITE SURVEYING COMPANY
providing land surveying services since 1940

9936 E. 55th Place • Tulsa, OK 74146 • 918.663.6924 • 918.664.8366 fax

Golden Horseshoe – Legal Description

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (S/2 SW/4) OF SECTION 13, TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE S/2 OF THE SW/4; THENCE SOUTH 01°15'25" EAST ALONG THE WEST LINE OF THE S/2 OF THE SW/4 FOR 16.00 FEET; THENCE NORTH 88°39'53" EAST FOR 58.78 FEET TO THE SOUTHWEST CORNER OF BISHOP MARKET SQUARE, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6896; THENCE SOUTH 01°15'25" EAST PARALLEL WITH AND 58.78 FEET EAST OF THE WEST LINE OF THE S/2 OF THE SW/4 FOR 400.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°39'53" EAST FOR 251.22 FEET; THENCE SOUTH 01°15'25" EAST FOR 330.00 FEET; THENCE SOUTH 88°39'53" WEST FOR 227.65 FEET TO A POINT ON THE CENTERLINE OF THE ABANDONED MIDLAND VALLEY RAILROAD AND THE NORTH LINE OF TIDAL WAVE ADDITION, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6943; THENCE NORTH 47°50'32" WEST ALONG THE NORTH LINE OF THE TIDAL WAVE ADDITION FOR 44.54 FEET TO THE NORTHERN MOST CORNER OF TIDAL WAVE ADDITION; THENCE NORTH 01°15'25" WEST PARALLEL WITH AND 50.0 FEET EAST OF THE WEST LINE OF THE S/2 OF THE SW/4 FOR 206.50 FEET; THENCE SOUTH 47°50'32" EAST FOR 12.09 FEET; THENCE NORTH 01°15'25" WEST PARALLEL WITH AND 58.78 FEET EAST OF THE WEST LINE OF S/2 OF THE SW/4 FOR 101.17 FEET TO THE POINT OF BEGINNING. THE PROPERTY DESCRIBED HEREON CONTAINS 1.94 ACRES, MORE OR LESS.



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: O.C. Walker, Development Services Director
Date: Monday, May 15, 2023
Name: Bixby Meadows
RE: Bixby Meadows–Preliminary and Final Plat Amendment No. 1 (BXPT-19.10a)
Location: South of East 151st Street South and South Harvard Avenue
STR: Section 21, Township 17N, Range 13E
Applicant: AAB Engineering, LLC

Description: This is a request to review and approve a Preliminary and Final Plat Amendment No. 1., for Bixby Meadows (BXPT - 19.10). The Preliminary Plat was approved by City Council on July 22, 2019. The original Final Plat was approved for Bixby Meadows on March 28, 2022, by the Bixby City Council.

The applicant is requesting to re-plat Bixby Meadows to turn some reserve areas back into residential lots. The address nomenclature was updated and revised. In addition, according to INCOG, the addressing of the lots was incorrect, and this plat amendment allows the developer to correct that information on the plat. A Letter of Map Revisions (LOMR) dated October 20, 2022, was also included in this submittal.

Project Overview per Plat:

Acres: 73.18 +/-	Min. Lot Width: 125 ft.	Avg. Lot Size: 1/2 acre
Number of Lots: 93 Lots	Number of Blocks: 6 Blocks	Reserve Areas: 3 Reserves

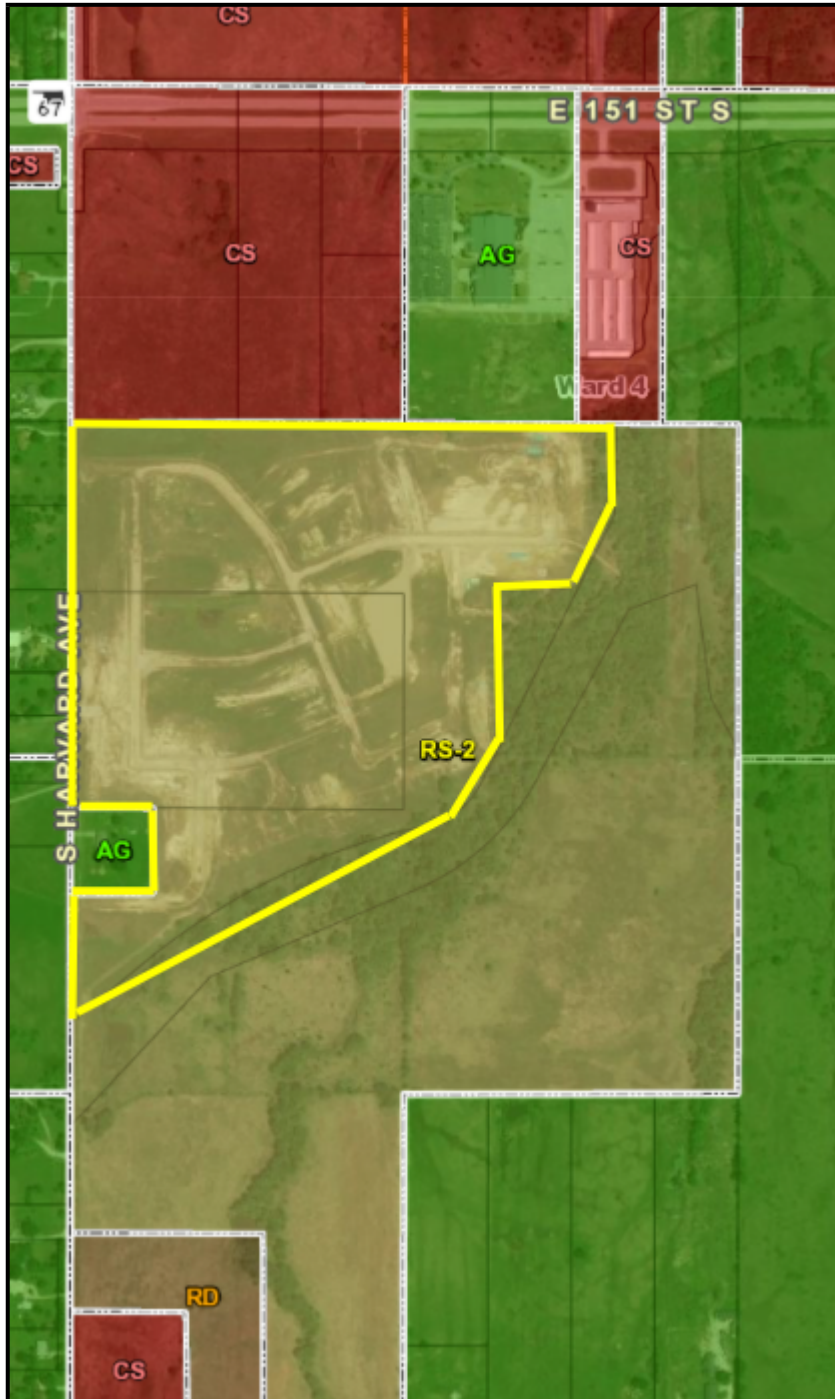


Exhibit A: City of Bixby Zoning Map

Utilities/Site Area:

- Okmulgee #6 Rural Water to service Bixby Meadows.
- Sanitary sewer provided by the City of Bixby by discharge to Springtree lift station.

Planning Comments:

[Staff Report](#): *BXPT-19.10 AMENDMENT NO. 1 | Bixby Meadows* | 05.15.2022 | [Page 2 of 3](#)

- Provide ground elevations on property on or at 2” contours intervals
- Provide existing finish contours in one-foot (1’) intervals
- Add adjacent subdivisions shown with names
- Indicate the line of sight triangles for corner lots located along Harvard Ave.
- Only one point of vehicle access to corner lots
- South 39th Ct. runs East and West and is addressed with a North and South and should be addressed accordingly. (153rd Court)

Public Comments:

- No comments have been received at the time of writing this report.

Staff Comments:

- Staff supports the Planning Commission’s recommendation for approval of the requested Preliminary and Final Plat Amendment contingent upon the incorporation of Planning and Engineering comments.

Exhibits:

- Exhibit A: City of Bixby Zoning Map
- Exhibit B: Preliminary and Final Amended Plat No. 1., with Deed of Dedication and Restrictive Covenants
- Exhibit C: Engineering Comments

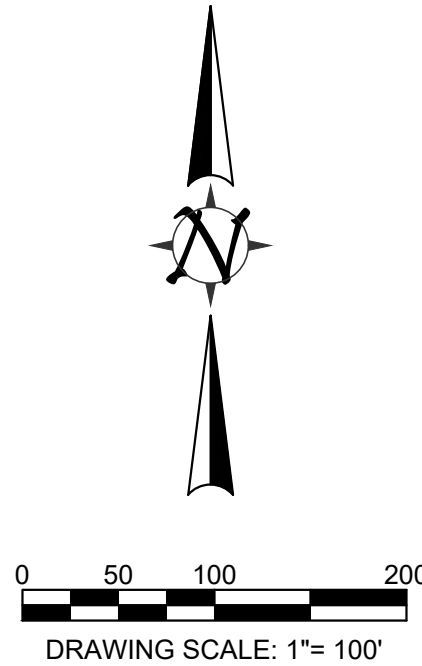
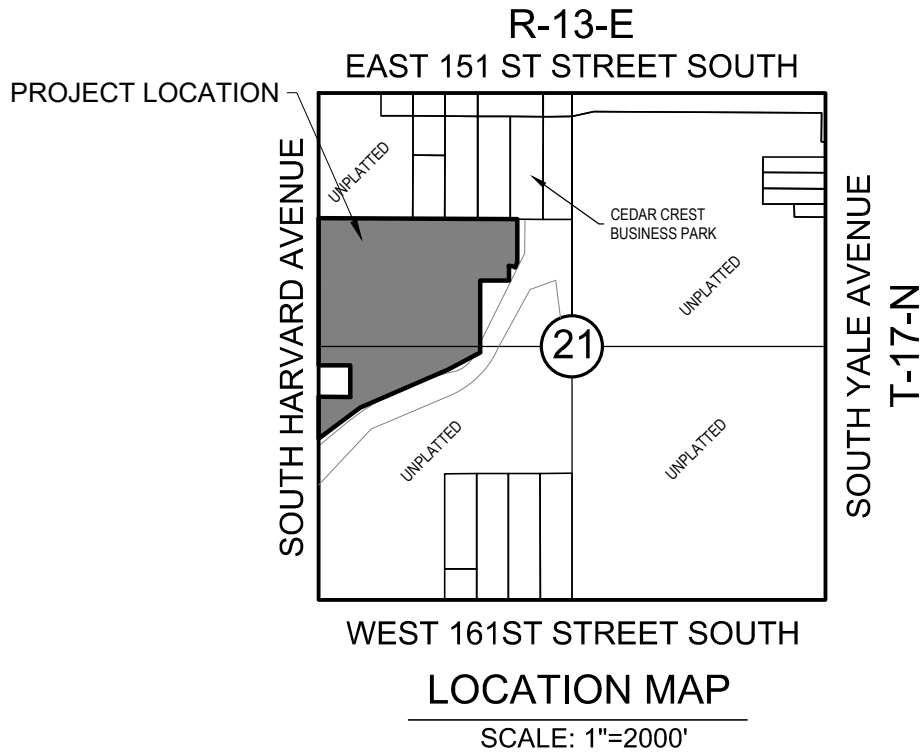
PRELIMINARY PLAT

Bixby Meadows

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA BEING A PART OF THE W/2 OF SECTION TWENTY-ONE (21), TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN.

OWNER/DEVELOPER
WEST AVENUE INVESTMENTS, LLC
1420 W. KENOSHA ST.
BROKEN ARROW, OK 74012
PHONE: 918.258.6161
ATTN: MR. GLENN SHAW

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



SUBDIVISION STATISTICS

SUBDIVISION CONTAINS NINETY-THREE (93) LOTS IN SIX (6) BLOCKS AND THREE (3) RESERVE AREAS. (73.18 TOTAL ACRES)

BLOCK 1 25.35 ACRES - 44 LOTS
BLOCK 2 7.30 ACRES - 12 LOTS
BLOCK 3 7.36 ACRES - 13 LOTS
BLOCK 4 5.56 ACRES - 11 LOTS
BLOCK 5 7.59 ACRES - 11 LOTS
BLOCK 6 1.61 ACRES - 2 LOTS

RESERVE A 1.46 ACRES
RESERVE B 3.24 ACRES
RESERVE C 0.11 ACRES

FLOODPLAIN

1% ANNUAL CHANCE (100 YEAR) FLOODPLAIN AS SHOWN ON FIRM PANELS "40143C0433L" & "40143C0445L" DATED OCTOBER 16, 2012

SUBDIVISION DATA

BENCHMARK
MAG NAIL IN CENTER OF S. HARVARD AVE. AT PROPERTY CORNER, 674.55 FEET SOUTH OF NORTHWEST CORNER OF BIXBY MEADOWS.

ELEV = 669.04 (NAVD 1988)

BASIS OF BEARINGS
GRID BEARING OF THE OKLAHOMA STATE PLANE COORDINATE SYSTEM - ZONE 3501 NORTH.

LAND AREA

2,034,023.24 SF ± / 46.69 ACRES ±

MONUMENTATION

ALL CORNERS WERE SET USING 3/8" X 18" REBAR WITH A YELLOW PLASTIC CAP STAMPED "AAB CA6318", UNLESS OTHERWISE NOTED.

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.

CONTACTS

MUNICIPAL AUTHORITY

CITY OF BIXBY
116 W. NEEDLES
P.O. BOX 70
BIXBY, OK 74008

UTILITIES

OKLAHOMA NATURAL GAS COMPANY
2319 W. EDISON ST.
TULSA, OK 74127
918-834-8000

PUBLIC SERVICE COMPANY
OF OKLAHOMA
212 E. 6TH ST.
TULSA, OK 74119
1-888-216-3523

BTC
11134 S. MEMORIAL DR.
BIXBY, OK 74104
918-366-8000

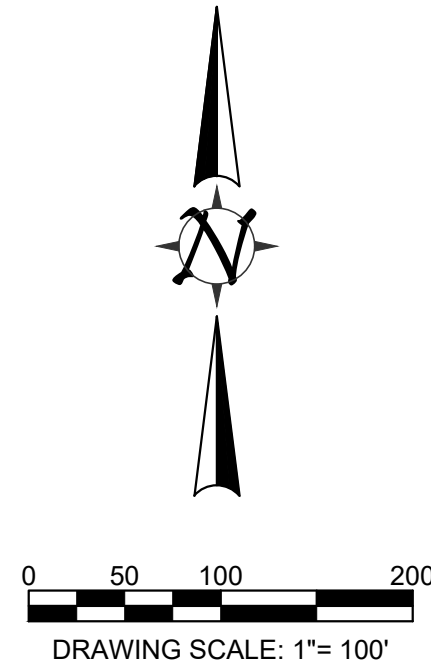
COX COMMUNICATIONS
11811 EAST 51ST STREET
TULSA, OK 74145
918-286-4658

RWD #6 OKMULGEE CO.
11003 HECTORVILLE RD.
MOUNDS, OK 74047-0340
918-827-6350

LEGEND

B/L.....BUILDING LINE
LNA.....LIMITS OF NO ACCESS
POB.....POINT OF BEGINNING
POC.....POINT OF COMMENCEMENT
ROW.....RIGHT OF WAY
U/E.....UTILITY EASEMENT
FLE.....FENCE AND LANDSCAPE EASEMENT
SF.....SQUARE FEET
BK.....BOOK
PG.....PAGE
IPF.....IRON PIN FOUND
XXXX.....STREET ADDRESS
D/E.....DRAINAGE EASEMENT

PLAT DATE: Thu, 16 Mar 2023
FILE: P:\171321.000\BIXBY MEADOWS\BIXBY MEADOWS.DWG



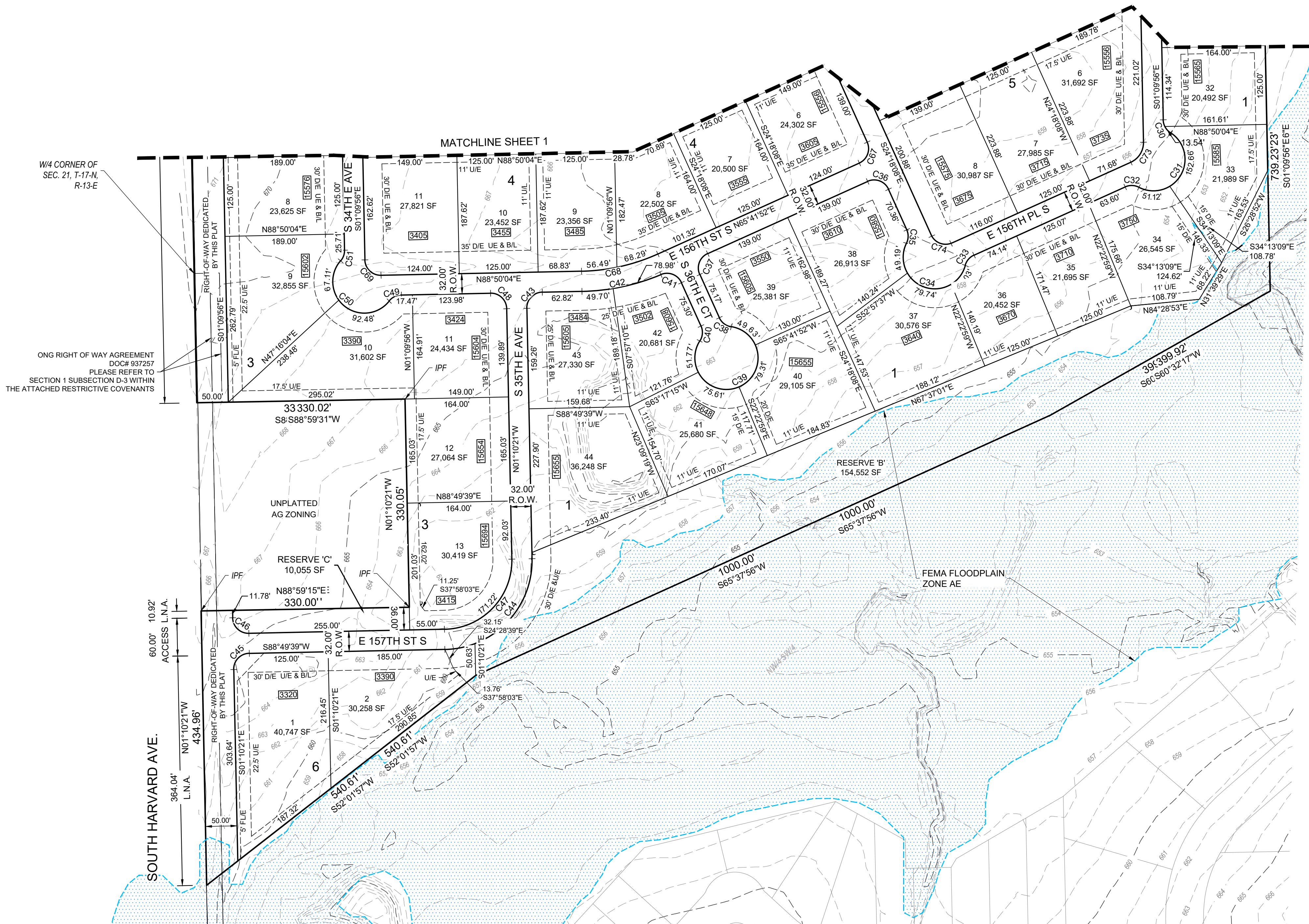
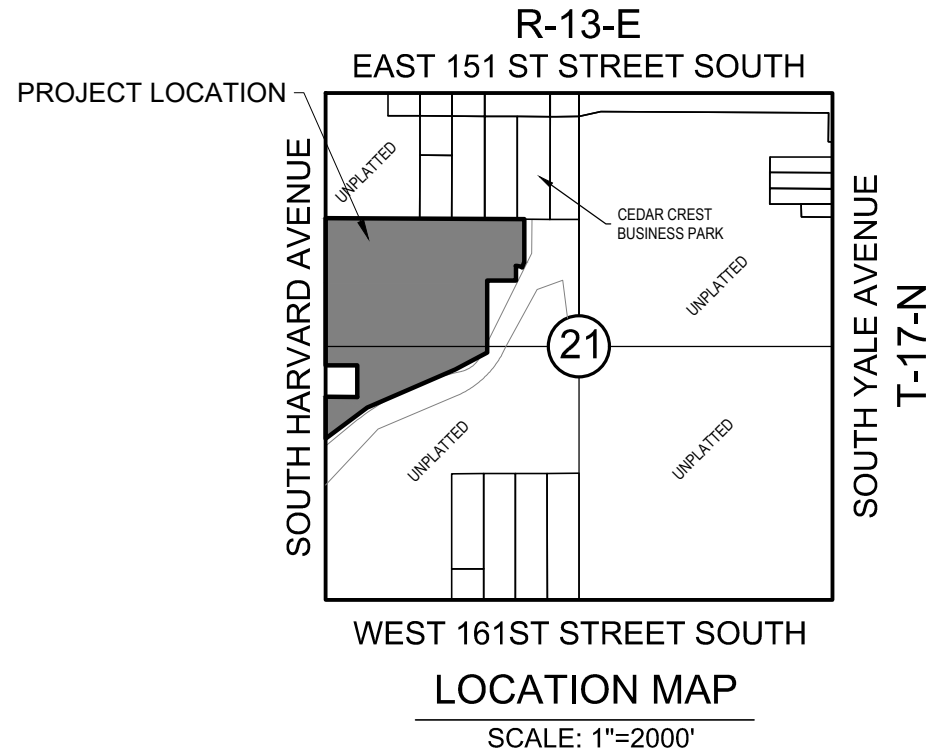
PRELIMINARY PLAT

Bixby Meadows

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CURVE TABLE

CURVE #	LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	CURVE #	LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	39.27'	25.00'	36.07'	S46°02'32"E	C38	24.81'	25.00'	23.80'	S52°43'58"E
C2	204.20'	241.00'	198.15'	S66°53'31"E	C39	256.21'	50.00'	54.67'	S65°41'52"W
C3	39.27'	25.00'	35.36'	S87°37'07"E	C40	24.81'	25.00'	23.80'	N04°07'43"E
C4	24.81'	25.00'	23.80'	N18°57'03"E	C41	38.61'	25.00'	34.88'	N68°32'41"W
C5	256.32'	50.00'	54.67'	S42°37'07"E	C42	128.68'	341.00'	127.92'	S78°01'25"W
C6	24.81'	25.00'	23.80'	S75°48'44"W	C43	39.27'	25.00'	35.36'	S43°49'52"W
C7	39.27'	25.00'	35.36'	S02°22'53"W	C44	172.60'	141.00'	162.02'	S33°53'43"W
C8	77.04'	241.00'	76.72'	S33°27'37"E	C45	39.44'	24.61'	35.36'	S43°49'39"W
C9	39.27'	25.00'	35.36'	S69°18'08"E	C46	39.27'	25.00'	35.36'	N46°10'21"E
C10	97.32'	241.00'	96.66'	N77°15'58"E	C47	171.22'	109.00'	154.15'	N43°49'39"E
C11	39.27'	25.00'	35.36'	N43°50'04"E	C48	39.27'	25.00'	35.35'	S46°10'08"E
C12	63.05'	209.00'	83.37'	N07°39'54"W	C49	22.10'	25.00'	21.23'	S63°52'07"W
C13	24.81'	25.00'	23.80'	N46°52'47"W	C50	159.59'	50.00'	99.91'	N50°30'09"W
C14	256.32'	50.00'	54.67'	N71°33'04"E	C51	18.42'	25.00'	18.01'	N19°56'37"E
C15	24.81'	25.00'	23.80'	S09°58'54"W	C52	39.27'	25.00'	35.36'	S46°09'56"E
C16	72.70'	241.00'	72.70'	S09°48'26"E	C53	39.27'	25.00'	35.36'	S43°50'04"W
C17	39.27'	25.00'	35.36'	S46°09'56"E	C54	39.27'	25.00'	35.36'	S43°50'04"W
C18	39.27'	25.00'	35.36'	N43°50'04"E	C55	177.09'	209.00'	171.84'	N66°53'31"W
C19	39.27'	25.00'	35.36'	N46°09'56"W	C56	66.81'	209.00'	66.53'	N33°27'37"W
C20	24.81'	25.00'	23.80'	S60°24'13"W	C57	39.27'	25.00'	35.36'	N20°41'52"E
C21	256.32'	50.00'	54.67'	N01°09'56"W	C58	84.40'	209.00'	83.82'	N77°15'58"E
C22	24.81'	25.00'	23.80'	S62°44'06"E	C59	39.27'	25.00'	35.36'	S46°09'56"E
C23	18.42'	25.00'	18.01'	N67°43'31"E	C60	39.27'	25.00'	35.36'	S43°50'04"W
C24	159.77'	50.00'	99.91'	S41°49'43"E	C61	34.96'	25.00'	32.18'	N51°06'04"W
C25	21.91'	25.29'	21.23'	S23°48'01"W	C62	204.31'	45.00'	68.88'	S38°53'56"W
C26	22.10'	25.00'	21.39'	S26°29'44"E	C63	39.27'	25.00'	35.36'	S46°09'56"E
C27	111.40'	50.00'	89.75'	S75°40'06"W	C64	39.27'	25.00'	35.36'	S43°50'04"W
C28	22.10'	25.00'	21.39'	N65°50'08"W	C65	97.32'	241.00'	96.66'	S77°15'58"W
C29	39.27'	25.00'	35.36'	N43°50'04"E	C66	39.27'	25.00'	35.36'	N69°18'08"W
C30	24.56'	25.00'	23.58'	S29°18'22"E	C67	39.27'	25.00'	35.36'	N20°41'52"E
C31	152.66'	50.00'	99.90'	S30°01'19"W	C68	124.78'	309.00'	123.93'	N77°15'58"E
C32	22.60'	25.00'	21.84'	N88°24'20"W	C69	39.27'	25.00'	35.36'	S46°09'56"E
C33	22.10'	25.00'	21.39'	S40°22'04"W	C70	39.27'	25.00'	35.36'	S20°41'52"W
C34	166.96'	50.00'	99.51'	N69°18'08"W	C71	84.40'	209.00'	83.82'	S77°15'58"W
C35	22.10'	25.00'	21.39'	N01°01'40"E	C72	39.27'	25.00'	35.36'	N46°09'56"W
C36	39.27'	25.00'	35.36'	N69°18'08"W	C73	39.68'	34.00'	37.46'	N32°15'58"E
C37	39.27'	25.00'	35.36'	S20°41'52"W	C74	35.32'	25.00'	32.53'	S69°18'08"E

Bixby Meadows

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1420 W. KENOSHA ST.
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ATTN: MR. GLENN SHAW

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318 EXP. JUNE 30, 2022
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4263
FAX: 918.514.4268

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL PERSON BY THESE PRESENTS:

THAT WEST AVENUE INVESTMENTS, LLC, HEREINAFTER REFERRED TO AS "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND IN THE WEST HALF (W/2) OF SECTION TWENTY-ONE (21), 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 AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION TWENTY-ONE (21), THENCE SOUTH 01°09'56" EAST ALONG THE WEST LINE THEREOF, A DISTANCE OF 1324.62 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF (S/2) OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION TWENTY-ONE (21) AND THE POINT OF BEGINNING. THENCE NORTH 89°05'18" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF (S/2) OF THE NORTHWEST QUARTER, A DISTANCE OF 2069.88 FEET; THENCE SOUTH 01°09'56" EAST, A DISTANCE OF 446.16 FEET; THENCE SOUTH 17°38'45" WEST A DISTANCE OF 203.48 FEET; THENCE SOUTH 88°50'04" WEST, A DISTANCE OF 300.00 FEET; THENCE SOUTH 01°09'56" EAST, A DISTANCE OF 739.23 FEET; THENCE SOUTH 60°32'17" WEST, A DISTANCE OF 399.92 FEET; THENCE SOUTH 65°37'56" WEST, A DISTANCE OF 1000.00 FEET; THENCE SOUTH 52°01'57" WEST, A DISTANCE OF 540.61 FEET TO THE WEST LINE OF SAID SECTION TWENTY-ONE (21); THENCE NORTH 01°10'21" WEST ALONG THE WEST LINE OF SAID SECTION TWENTY-ONE (21), A DISTANCE OF 434.96 FEET; THENCE NORTH 88°59'15" EAST, A DISTANCE OF 330.00 FEET; THENCE NORTH 01°10'21" WEST, A DISTANCE OF 330.05 FEET; THENCE SOUTH 88°59'31" WEST A DISTANCE OF 330.02 FEET TO THE WEST LINE OF SAID SECTION TWENTY-ONE (21). THENCE NORTH 01°09'56" WEST ALONG SAID WEST LINE, A DISTANCE OF 1529.55 FEET TO THE POINT OF BEGINNING. CONTAINING 3,187,686 SQUARE FEET OR 73.18 ACRES.

AND THE OWNER HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO EIGHTY SIX LOTS AND RESERVE AREAS "A", "B", "C", IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "BIXBY MEADOWS", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA.

SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT, AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UIE" OR "UTILITY EASEMENT", FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM AND SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ANY OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON THE LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF 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 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, WHICH DO NOT CONSTITUTE AN OBSTRUCTION AS AFORESAID.

B. UTILITY SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE UTILITY EASEMENTS ALONG SOUTH HARVARD AVENUE. ALL OTHER SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST SERVICE PEDESTAL, TRANSFORMER OR GAS SERVICE LINE TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT, PROVIDED THAT THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE RIGHT-OF-WAY EASEMENT ON THE LOT COVERING FIVE FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE SERVICE PEDESTAL, TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL 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.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND

SERVICE FACILITIES LOCATED ON THEIR LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS 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.

- THE FOREGOING COVENANTS SET FOR IN THIS PARAGRAPH I.B SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

- 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.
- 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.
- THE CITY OF BIXBY, OKLAHOMA OR ITS 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.
- THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL EASEMENTWAYS 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.
- 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

- 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 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 THE GAS SERVICE.
- THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER OF THE LOT SHALL PAY FOR THE DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY THE ACTS OF THE OWNER, OR HIS AGENTS OR CONTRACTORS.
- ONG'S EASEMENT(S) RECORDED IN DOCUMENT NO. 937257 REMAIN IN FULL FORCE AND EFFECT. ONG'S EASEMENT(S) PRE DATE 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.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH I.D SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

E. SURFACE DRAINAGE

EACH LOT 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 THEIR LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH I.E SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.

F. PAVING AND LANDSCAPING WITHIN EASEMENTS

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 EASEMENT AREA 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.

G. FENCE AND LANDSCAPE EASEMENT

THE OWNER DOES HEREBY ESTABLISH AND GRANT FENCE EASEMENTS OVER AND UPON THE AREAS DESIGNATED AS "FIE" OR "FENCE EASEMENT" AND SHOWN ON THE ACCOMPANYING PLAT FOR THE USE AND BENEFIT OF BIXBY MEADOWS HOMEOWNERS ASSOCIATION. THE FENCE EASEMENTS ARE FOR THE LIMITED PURPOSE OF CONSTRUCTING AND MAINTAINING PERIMETER DECORATIVE FENCES AND ENTRY FEATURES INCLUDING BUT NOT LIMITED TO FENCES, WALLS, SPRINKLER SYSTEM, AND LANDSCAPING, AND FOR THE PURPOSES OF MAINTAINING AND REPAIR THEREOF, TOGETHER WITH THE RIGHT OF ACCESS OVER, ACROSS AND ALONG SUCH EASEMENTS AND OVER, ACROSS AND ALONG LOTS IN BIXBY MEADOWS, WHICH CONTAIN SUCH EASEMENTS.

H. RESERVE AREAS

- THE USE OF RESERVE AREA A IS DEDICATED ON THE PLAT FOR THE SUBDIVISION WITH THE PRIMARY USE OF STORMWATER DETENTION FACILITIES AND WITH ADDITIONAL USE AS OPEN SPACE, FENCING, AND LANDSCAPING, AS WELL AS UTILITY EASEMENTS AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. MAINTENANCE OF RESERVE AREA C WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER UNTIL CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. FENCING SHALL MEET THE CITY OF BIXBY ZONING ORDINANCE REQUIREMENTS AND SHALL NOT INTERFERE WITH THE DESIGNED PURPOSE OF THE DETENTION FACILITIES.
- THE USE OF RESERVE AREA B DEDICATED ON THE PLAT FOR THE SUBDIVISION SHALL BE LIMITED TO USE AS OPEN SPACE, FENCING, LANDSCAPING AND FLOODPLAIN AS WELL AS UTILITY EASEMENTS AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. MAINTENANCE OF RESERVE AREA C WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER UNTIL CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. FENCING SHALL MEET THE CITY OF BIXBY ZONING ORDINANCE REQUIREMENTS FOR ANY PROPOSED FENCING IN FLOODPLAIN AREAS.
- THE USE OF RESERVE AREA C DEDICATED ON THE PLAT FOR THE SUBDIVISION SHALL BE LIMITED TO USE AS OPEN SPACE, FENCING AND LANDSCAPING AS WELL AS UTILITY EASEMENTS AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. MAINTENANCE OF RESERVE AREA C WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER UNTIL CONVEYANCE TO THE HOMEOWNERS ASSOCIATION.

I. DRAINAGE EASEMENTS

- FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION AND FOR THE BENEFIT OF THE CITY OF BIXBY, OKLAHOMA, THE OWNER/DEVELOPER HEREBY ESTABLISHES AND GRANTS PERPETUAL EASEMENTS ON, OVER AND ACROSS ANY AREAS DESIGNATED ON THE PLAT AS "DRAINAGE EASEMENTS" FOR THE PURPOSES OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.
- DRAINAGE FACILITIES CONSTRUCTED IN ANY DRAINAGE EASEMENT SHALL BE IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE BIXBY, OKLAHOMA.
- NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN THE DRAINAGE EASEMENTS, NOR SHALL THERE BE ANY ALTERATION OF ANY GRADES OR CONTOURS IN THE EASEMENT AREAS, UNLESS APPROVED BY THE CITY OF BIXBY, OKLAHOMA, PROVIDED, HOWEVER, THAT THE PLANTING OF TURF OR SINGLE TRUNK TREES HAVING A CALIPER OF NOT MORE THAN TWO AND ONE-HALF (2 1/2) INCHES SHALL NOT REQUIRE APPROVAL. FENCING IS ALLOWED IN THE DRAINAGE EASEMENTS IF THE BOTTOM OF AN OPAQUE FENCE IS 6 INCHES ABOVE THE GRADE AND DOES NOT RESTRICT OVERLAND FLOW THROUGH THE EASEMENT, OR IF A NON-OPAQUE FENCE (CHAIN LINK, SPLIT RAIL, WROUGHT IRON FENCE) IS USED.
- ANY DRAINAGE EASEMENTS AREAS AS DEPICTED ON THE ACCOMPANYING PLAT, SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS ON WHOSE LOTS THE EASEMENTS LIE AND BY THE HOMEOWNERS' ASSOCIATION TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF BIXBY, OKLAHOMA, IN THE EVENT THE LOT OWNER(S) OR THE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN DRAINAGE EASEMENTS OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN THE EASEMENT AREA, OR THE ALTERATION OF THE GRADE OR CONTOUR THEREIN, THE CITY OF BIXBY, OKLAHOMA MAY ENTER THE EASEMENT AREA AND PERFORM MAINTENANCE NECESSARY TO THE ACHIEVEMENT OF THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE OR CONTOUR, AND THE COST THEREOF SHALL BE PAID BY THE LOT OWNER(S) OR HOMEOWNERS' ASSOCIATION. IN THE EVENT THE LOT OWNER(S) OR HOMEOWNERS' ASSOCIATION FAILS TO PAY THE COST 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, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT OWNER(S) OR HOMEOWNERS ASSOCIATION. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE JUDICIALLY FORECLOSED BY THE CITY OF BIXBY.

J. MINIMUM BUILDING SETBACKS AND YARDS

- NO BUILDING SHALL BE LOCATED NEARER TO THE RIGHT OF WAY OF AN ADJOINING PUBLIC STREET THAN THE BUILDING LINE DEPICTED ON THE ACCOMPANYING PLAT.
- EACH LOT SHALL MAINTAIN SIDE YARDS WHICH IN THE AGGREGATE ARE NOT LESS THAN TEN (10) FEET IN WIDTH AND NO SIDE YARD SHALL BE LESS THAN FIVE (5) FEET IN WIDTH.
- THE MINIMUM REAR YARD SHALL BE TWENTY (20) FEET. CUSTOMARY ACCESSORY STRUCTURES MAY BE LOCATED IN THE REQUIRED REAR YARD, BUT NO BUILDING SHALL BE ERECTED NEARER THAN FIVE (5) FEET TO ANY LOT LINE.
- NO BUILDING, WHETHER PRINCIPAL OR ACCESSORY, SHALL ENCROACH UPON ANY UTILITY EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT.

I. LIMIT OF NO ACCESS

THE UNDERSIGNED OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH HARVARD AVENUE WITHIN THE BOUNDS DESIGNATED "LNA" OR "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT.

SECTION II. PRIVATE RESTRICTIONS

FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF BIXBY MEADOWS, AND FOR THE PURPOSE OF MAINTAINING COMPATIBILITY OF THE IMPROVEMENTS THEREIN, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

I. ARCHITECTURAL COMMITTEE - PLAN REVIEW

NO BUILDING, STRUCTURE, FENCE, WALL, FREE STANDING MAILBOX SWIMMING POOL, OR CONCRETE DRIVEWAY SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT IN THE SUBDIVISION UNTIL THE PLANS AND SPECIFICATIONS HAVE BEEN APPROVED IN WRITING BIXBY MEADOWS LLC, OR ITS AUTHORIZED REPRESENTATIVES OR SUCCESSORS, WHICH ARE HEREINAFTER REFERRED TO AS THE "ARCHITECTURAL COMMITTEE" FOR EACH BUILDING OR STRUCTURE, THE REQUIRED PLANS AND SPECIFICATIONS SHALL BE SUBMITTED IN DUPLICATE AND INCLUDE A PLOT PLAN DEPICTING THE FACING OF THE BUILDING, DRAINAGE AND GRADING PLANS, AND EXTERIOR MATERIALS AND COLOR SCHEME. IN THE EVENT THE ARCHITECTURAL COMMITTEE FAILS TO APPROVE OR DISAPPROVE ANY PLANS, SPECIFICATIONS, COLOR SCHEME, MATERIALS AND PLOT PLANS SUBMITTED TO IT AS HEREIN REQUIRED WITHIN 10 DAYS AFTER THE SUBMISSION, OR IN THE EVENT NO SUIT TO ENJOIN THE ERECTION OF THE BUILDING OR STRUCTURE OR THE MAKING OF AN ALTERATION HAS BEEN COMMENCED PRIOR TO THE 30TH DAY FOLLOWING COMPLETION THEREOF, APPROVAL OF THE ARCHITECTURAL COMMITTEE SHALL NOT BE REQUIRED, AND THIS COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH. THE APPROVAL OR FAILURE TO APPROVE BUILDING PLANS SHALL NOT BE DEEMED TO BE A WAIVER OF ANY RESTRICTION.

THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION, AND IN ITS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED, MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE, THE MATERIALS OF WHICH IT IS TO BE BUILT, THE AVAILABILITY OF ALTERNATIVE MATERIALS, THE SITE UPON WHICH IT IS PROPOSED TO BE ERECTED, AND THE HARMONY THEREOF WITH THE SURROUNDING AREA. THE ARCHITECTURAL COMMITTEE SHALL NOT BE LIABLE FOR ANY APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OF OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE, OR CODE VIOLATIONS. THE ARCHITECTURAL COMMITTEE'S APPROVAL OF BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION, UNLESS THE ARCHITECTURAL COMMITTEE IS HEREINAFTER AUTHORIZED TO GRANT THE PARTICULAR WAIVER. NOTHING HEREIN CONTAINED SHALL BE DEEMED TO PREVENT ANY LOT OWNER IN THE SUBDIVISION FROM PROSECUTING ANY LEGAL ACTION RELATING TO IMPROVEMENTS WITHIN THE SUBDIVISION WHICH THEY WOULD OTHERWISE BE ENTITLED TO PROSECUTE.

THE ARCHITECTURAL COMMITTEE RESERVES THE RIGHT, IN THEIR SOLE DISCRETION AND WITHOUT JOINDER OF ANY OWNER AT ANY TIME SO LONG AS OWNER/DEVELOPER IS THE OWNER OF ANY LOT TO AMEND, REVISE, OR ABOLISH ANY ONE OR MORE OF THE COVENANTS AND RESTRICTIONS IN THIS SECTION III BY AN INSTRUMENT DULY EXECUTED AND ACKNOWLEDGED BY THEM AS THE ARCHITECTURAL COMMITTEE AND FILED IN THE COUNTY CLERK'S OFFICE IN THE COURTHOUSE OF TULSA COUNTY, STATE OF OKLAHOMA.

THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL, ON JANUARY 1, 2029, BE DEEMED TRANSFERRED TO THE ASSOCIATION PROVIDED FOR IN SECTION IV, OR UPON WRITTEN ASSIGNMENT TO THE ASSOCIATION BY THE OWNER, WHICHEVER EVENT FIRST OCCURS, AND THEREAFTER THE FOREGOING POWERS AND DUTIES SHALL BE EXERCISED BY THE BOARD OF DIRECTORS OF THE ASSOCIATION.

Bixby Meadows

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA BEING A PART OF THE W/2 OF SECTION TWENTY-ONE (21), TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN.

OWNER/DEVELOPER
WEST AVENUE INVESTMENTS, LLC
1420 W. KENOSHA ST.
BROKEN ARROW, OK 74012
PHONE: 918.258.6161
ATTN: MR. GLENN SHAW

ENGINEER/SURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318 EXP. JUNE 30, 2022
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4263
FAX: 918.514.4268

J. FLOOR AREA

DWELLINGS SHALL HAVE A MINIMUM OF 2000 SQUARE FEET OF FINISHED HEATED LIVING AREA, ONE AND ONE-HALF (1 ½) OR TWO (2) STORY DWELLING SHALL HAVE A MINIMUM OF 2000 SQUARE FEET OF FINISHED HEATED LIVING AREA; PROVIDED HOWEVER, THE FIRST FLOOR SHALL HAVE A MINIMUM OF 2000 SQUARE FEET OF FINISHED HEATED LIVING AREA. THE COMPUTATION OF SQUARE FEET OF LIVING AREA SHALL EXCLUDE GARAGES, OPEN SPACES AND BREEZEWAYS.

K. GARAGES

EACH DWELLING SHALL HAVE AN ATTACHED ENCLOSED GARAGE PROVIDING SPACE FOR A MINIMUM OF TWO AUTOMOBILES. CARPORTS ARE PROHIBITED. GLASS IN VEHICULAR ENTRY DOORS SHALL REQUIRE ARCHITECTURAL COMMITTEE APPROVAL. ALL COMMERCIAL VEHICLES SHALL BE PARKED INSIDE A LOT OWNER'S GARAGE UNLESS PERFORMING REPAIR, CONSTRUCTION OR MAINTENANCE.

L. FOUNDATIONS

THE EXTERIOR SURFACE OF ANY EXPOSED FOUNDATION, INCLUDING STEMWALLS, SHALL BE OF BRICK, STONE OR STUCCO.

M. MASONRY

SEVENTY-FIVE (75%) OF THE SURFACE OF THE FIRST FLOOR PLATE LINE OF EXTERIOR WALLS (EXCLUDING WINDOWS AND DOORS) SHALL BE BRICK, STONE OR STUCCO, EXCEPT UNDER COVERED PORCHES AND PATIOS.

N. WINDOWS

VINYL OR WOOD WINDOWS SHALL BE USED, METAL WINDOWS ARE RESTRICTED, HOWEVER, THE ARCHITECTURAL COMMITTEE MAY IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST APPROVE A WAIVER OF THE METAL WINDOW RESTRICTIONS SET FORTH IN THIS SUBSECTION.

O. ROOF FLASHING

EXPOSED ROOF FLASHING, VENT PIPES AND CHIMNEY COVERS SHALL BE PAINTED.

P. ROOF PITCH

NO DWELLING SHALL HAVE A ROOF PITCH OF LESS THAN 8/12, PROVIDED HOWEVER, THAT A SHED ROOF OVER A PORCH OR DORMER SHALL HAVE A ROOF PITCH OF NO LESS THAN 4/12. ALL OTHER ROOF COMBINATIONS WILL REQUIRE ARCHITECTURAL COMMITTEE APPROVAL.

Q. ROOFING MATERIALS

ROOFING SHALL BE SELF-SEALING CERTAINTED LANDMARK WEATHERWOOD COLOR COMPOSITION SHINGLES OR EQUIVALENT; PROVIDING HOWEVER, IN THE EVENT SUCH ROOFING SHOULD HEREINAFTER NOT BE REASONABLY AVAILABLE, ALTERNATIVE ROOFING OF COMPARABLE QUALITY SHALL BE PERMITTED UPON A DETERMINATION OF THE ARCHITECTURAL COMMITTEE THAT THE PROPOSED ALTERNATIVE IS OF COMPARABLE OR BETTER QUALITY AND OF A DESIGN AND QUALITY WHICH IS COMPATIBLE WITH THE ROOFING FIRST DESCRIBED.

R. ON-SITE CONSTRUCTION

NO EXISTING OR OFF-SITE BUILT DWELLING MAY BE MOVED ONTO OR PLACED ON ANY LOT.

S. OUTBUILDING

OUTDOOR STORAGE BUILDINGS ARE NOT PERMITTED. OTHER OUTBUILDINGS, SUCH AS GAZEBOS, CABANAS, OR DETACHED GARAGES SHALL BE PERMITTED SUBJECT TO THE APPROVAL OF THE LOCATION, STYLE AND MATERIALS USED IN THE CONSTRUCTION BY THE ARCHITECTURAL COMMITTEE PRIOR TO CONSTRUCTION, AND PROVIDING THAT THE OUTBUILDING IS COMPATIBLE IN MATERIAL AND STYLE WITH THE PRIMARY RESIDENCE. NO OUTBUILDING SHALL BE ERECTED IN A LOCATION ON THE LOT THAT THE ARCHITECTURAL COMMITTEE DETERMINES WOULD REASONABLY OBSTRUCT THE VIEW OF A WATER FEATURE OR A GREENBELT FROM ANOTHER LOT.

T. SWIMMING POOLS

ABOVE GROUND SWIMMING POOLS ARE PROHIBITED.

U. INTERIOR FENCING

INTERIOR FENCING OR WALLS SHALL NOT EXTEND BEYOND THE FRONT BUILDING LINE OF THE LOT, AND IF A DWELLING IS BUILT BEHIND THE FRONT BUILDING LINE OF A LOT, NO FENCE MAY EXTEND BEYOND THAT POINT NEAREST THE STREET AT EACH END CORNER OF THE DWELLING. INTERIOR FENCES OR WALLS SHALL BE OF WOOD, BRICK, STUCCO, NATURAL STONE OR WROUGHT IRON. CHAIN LINK, BARBED WIRE, MESHED OR OTHER METAL FENCING IS SPECIFICALLY PROHIBITED. NO INTERIOR FENCE OR WALL SHALL EXCEED SIX (6) FEET IN HEIGHT. WOOD FENCING SHALL BE CAPPED AND HAVE THE SMOOTH SIDE FACING THE STREET. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THE FOREGOING RESTRICTIONS.

V. PERIMETER FENCING

THE OWNER/DEVELOPER SHALL INSTALL PERIMETER FENCING ON NORTH, EAST AND SOUTH PROPERTY LINES OF THE SUBDIVISION. EACH LOT OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE FOR SAID FENCING ABUTTING THEIR LOT.

W. ANTENNAS

EXTERIOR TELEVISION, "CB", RADIO OR OTHER TYPES OF ANTENNA SHALL BE PROHIBITED, PROVIDED HOWEVER, SATELLITE DISHES OR SIMILAR OUTSIDE ELECTRONIC RECEPTION DEVICES NOT EXCEEDING 20 INCHES IN DIAMETER AND NOT VISIBLE FROM THE FRONT BOUNDARY OF THE LOT, SHALL BE PERMITTED. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THE FOREGOING RESTRICTIONS.

P. LOT MAINTENANCE AND LANDSCAPING

EACH LOT SHALL BE PROFESSIONALLY LANDSCAPED AND FULLY SODDED PRIOR TO OCCUPANCY. EACH LOT SHALL INSTALL, OPERATE, AND MAINTAIN AN UNDERGROUND, PERMANENT IRRIGATION SYSTEM THAT COVERS THE FULL LOT. EACH LOT SHALL BE REQUIRED TO INSTALL AND MAINTAIN, AT LEAST ONE TREE IN THE FRONT YARD, MINIMUM 2" IN DIAMETER.

THE ASSOCIATION SHALL SELECT A VENDOR FOR YARD MAINTENANCE AS A PORTION OF THE LOT OWNER'S DUES. THE LOT OWNERS AUTHORIZE ANY SUCH VENDOR SELECTED BY THE HOMEOWNER'S ASSOCIATION TO ACCESS THE LOTS IN ORDER TO PERFORM YARD MAINTENANCE AND LANDSCAPING SERVICES. ANY LOT OWNER THAT OPTS OUT OF THIS SERVICE WILL NOT RECEIVE ANY DUES REDUCTION. LOTS THAT OPT OUT OF THIS SERVICE ARE REQUIRED TO MAINTAIN THEIR LOTS TO THE SUBDIVISION STANDARD. NO ADDITIONAL OUTSIDE YARD VENDORS THAT PERFORM SIMILAR YARD MAINTENANCE SERVICES ARE ALLOWED.

NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT, AND EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION FREE OF RUBBISH, TRASH, OR OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT UNSIGHTLY GROWTH OF WEEDS OR TALL GRASS.

Q. RECREATIONAL VEHICLES

BOATS, TRAILERS, CAMPER, MOTORHOMES AND SIMILAR RECREATIONAL EQUIPMENT SHALL NOT BE STORED ON ANY LOT FOR A PERIOD EXCEEDING 24 HOURS IF IN VIEW FROM AN ADJOINING STREET OR FROM AN ADJOINING LOT.

R. CLOTHESLINES AND TRASH RECEPTACLES

EXTERIOR CLOTHESLINE POLES OR OTHER OUTDOOR DRYING APPARATUS ARE PROHIBITED, GARBAGE CANS AND OTHER TRASH RECEPTACLES SHALL BE OUT OF VIEW FROM ANY ADJOINING STREET OR FROM ANY ADJOINING LOT EXCEPT DURING REASONABLE TIMES NECESSARY TO PERMIT CURBSIDE PICKUP. ONLY ONE COMMERCIAL TRASH SERVICE AT ANY TIME SHALL BE PERMITTED TO OPERATE WITHIN THE SUBDIVISION. SAID TRASH SERVICE SHALL BE DESIGNATED BY THE BOARD OF THE ASSOCIATION.

S. MAILBOXES

AS LONG AS A RURAL TYPE MAILBOX IS IN USE IN BIXBY MEADOWS FOR UNITED STATES POSTAL SERVICE, ALL MAILBOX PEDESTALS SHALL CONFORM IN DESIGN TO SPECIFICATIONS APPLICABLE TO THE SUBDIVISION AS ESTABLISHED BY THE ARCHITECTURAL COMMITTEE. THE MAILBOX SHALL BE POSITIONED SO THAT THE FRONT FACE IS APPROXIMATELY SIX (6) INCHES IN THE BASE OF THE CURB AND SIX (6) FEET FROM THE "INSIDE EDGE" OF THE DRIVEWAY. "INSIDE EDGE" SHALL MEAN THE EDGE OF THE DRIVEWAY WHICH BORDERS THE LARGEST CONTIGUOUS LOT AREA. THE TOP OF THE MAILBOX SHALL BE FORTY-TWO (42) INCHES FROM STREET LEVEL.

T. ANIMALS

NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND MAY BE MAINTAINED, BRED, SOLD, OR KEPT EXCEPT THAT TWO DOGS, TWO CATS, OR OTHER CUSTOMARY HOUSEHOLD PETS MAY BE KEPT PROVIDED THEY ARE NOT USED FOR COMMERCIAL PURPOSES. FOR THE PURPOSES OF THIS PARAGRAPH III.T, POT-BELLIED PIGS, PONIES AND KANGAROOS ARE NOT CUSTOMARY HOUSEHOLD PETS.

U. NOXIOUS ACTIVITY

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED OUT UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON THAT MAY BE, OR MAY BECOME ANY ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

V. SIGNAGE

NO SIGN OTHER THAN CUSTOMARY NAME PLATE AND ADDRESS SHALL BE LOCATED ON ANY LOT IN PUBLIC VIEW, EXCEPT ONE SIGN OF NOT MORE THAN FIVE (5) SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD. NO RENT OR LEASE SIGNS ARE ALLOWED.

W. MATERIALS AND STORAGE

NO LOT SHALL BE USED FOR THE STORAGE OF MATERIALS FOR A PERIOD OF GREATER THAN THIRTY (30) DAYS PRIOR TO THE START OF CONSTRUCTION AND THE CONSTRUCTION SHALL BE COMPLETED WITHIN NINE (9) MONTHS, THEREAFTER. EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION.

X. SPORTING EQUIPMENT, PLAY STURCTURES/TRAMPOLINES

NO BASKETBALL GOALS OR OTHER SPORTING EQUIPMENT SHALL BE VISIBLE FROM THE STREET. PLAY STRUCTURES AND TRAMPOLINES ARE RESTRICTED TO BACK AND SIDE YARDS AND MUST BE SETBACK A MINIMUM OF FIVE FEET (5 FT.) FROM ALL PROPERTY LINES. PLAY STRUCTURES IN EXCESS OF TEN FEET (10 FT.) IN HEIGHT MUST BE APPROVED BY THE ARCHITECTURAL COMMITTEE PRIOR TO INSTALLATION. TRAMPOLINES ARE PERMITTED IN REAR YARDS PROVIDED THEY DO NOT EXCEED SIX FEET (6 FT.) IN HEIGHT AND ARE OUT OF VIEW OF ADJOINING LOT OWNERS.

Y. ON STREET PARKING LIMITATIONS

ON - STREET PARKING BY OWNERS OF LOTS OR THEIR TENANTS IS PROHIBITED, PROVIDED THAT THE ASSOCIATION MAY PERMIT, BY RULES AND REGULATIONS, ON- STREET PARKING DURING OCCASIONAL EVENTS WITHIN THE SUBDIVISION. COMMERCIAL VEHICLES PERFORMING MAINTENANCE AND REPAIRS SHALL NOT EXCEED 24 HOURS AT ANY ONE PERIOD OF TIME.

SECTION III. 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 BIXBY MEADOWS 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, INCLUDING BUT WITHOUT LIMITATION, RESERVE "A & B" AND THE FENCE EASEMENT FOR THE FURTHER PURPOSES OF ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF BIXBY MEADOWS. 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 BIXBY MEADOWS 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 BIXBY MEADOWS SHALL BE SUBJECT TO ASSESSMENT BY THE ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE PRIVATE STREETS, STORMWATER DETENTION FACILITIES, FENCE EASEMENT AND OTHER COMMON AREAS OF THE SUBDIVISION.

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 WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I, SHALL INURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II, PRIVATE RESTRICTIONS AND SECTION IV, HOMEOWNERS ASSOCIATION SHALL INURE ONLY TO THE BENEFIT OF AND BE ENFORCEABLE BY THE OWNERS OF THE RESIDENTIAL LOTS AND/OR THE ASSOCIATION. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, THE SUPPLIER OF UTILITY SERVICE AND/OR THE CITY OF BIXBY, OKLAHOMA MAY BRING AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT TO PREVENT THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IF THE UNDERSIGNED OWNER/ DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II OR SECTION III, IT SHALL BE LAWFUL FOR ANY PERSON OWNING ANY RESIDENTIAL LOT WITHIN BIXBY MEADOWS AND/OR THE ASSOCIATION TO BRING AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IN ANY JUDICIAL ACTION TO ENFORCE THE PROVISIONS OF SECTION II OR SECTION III, THE PREVAILING PARTY MAY RECOVER REASONABLE COSTS AND ATTORNEY FEES.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION 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 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 AND THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION II, PRIVATE RESTRICTIONS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY WEST AVENUE INVESTMENTS, LLC DURING SUCH PERIOD THAT WEST AVENUE INVESTMENTS, LLC IS THE OWNER OF AT LEAST 5 RESIDENTIAL LOTS WITHIN BIXBY MEADOWS OR ALTERNATIVELY THE COVENANTS CONTAINED WITHIN SECTION II MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF MORE THAN 75% OF THE RESIDENTIAL LOTS. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY WEST AVENUE INVESTMENTS, LLC (DURING ITS OWNERSHIP OF AT LEAST 5 RESIDENTIAL LOTS), AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF 75% OF THE RESIDENTIAL LOTS WITHIN BIXBY MEADOWS, THE INSTRUMENT EXECUTED BY WEST AVENUE INVESTMENTS, LLC SHALL PREVAIL DURING THE TIME OF WEST AVENUE INVESTMENTS, LLC'S OWNERSHIP OF AT LEAST 5 RESIDENTIAL LOTS, THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AS ABOVE SET FORTH SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

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

IN WITNESS WHEREOF, WEST AVENUE INVESTMENTS, LLC HAS EXECUTED THIS INSTRUMENT THE ____DAY OF _____, 2023.

WEST AVENUE INVESTMENTS, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
GLENN SHAW, MANAGER

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY GLENN SHAW, MANAGER OF WEST AVENUE INVESTMENTS, LLC.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
COMMISSION NUMBER: _____

CERTIFICATE OF SURVEY

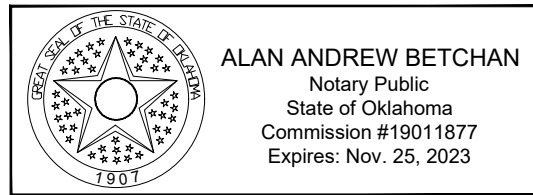
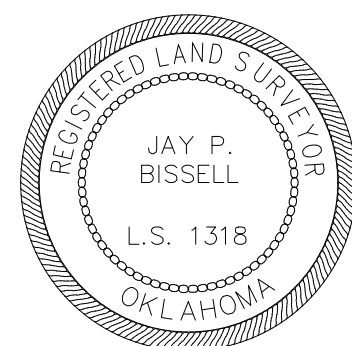
I, JAY P. BISSELL, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "BIXBY MEADOWS" A SUBDIVISION OF THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID 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.

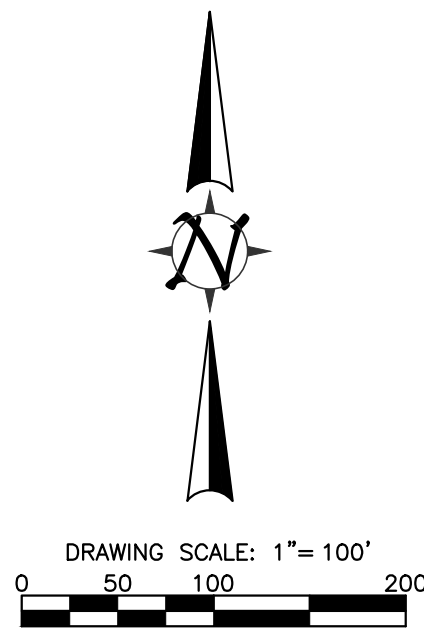
JAY P. BISSELL
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1318

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS ____ DAY OF _____, 2023, PERSONALLY APPEARED JAY P. BISSELL, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

NOTARY PUBLIC
MY COMMISSION EXPIRES: NOVEMBER 25, 2023
COMMISSION NUMBER: 19011877



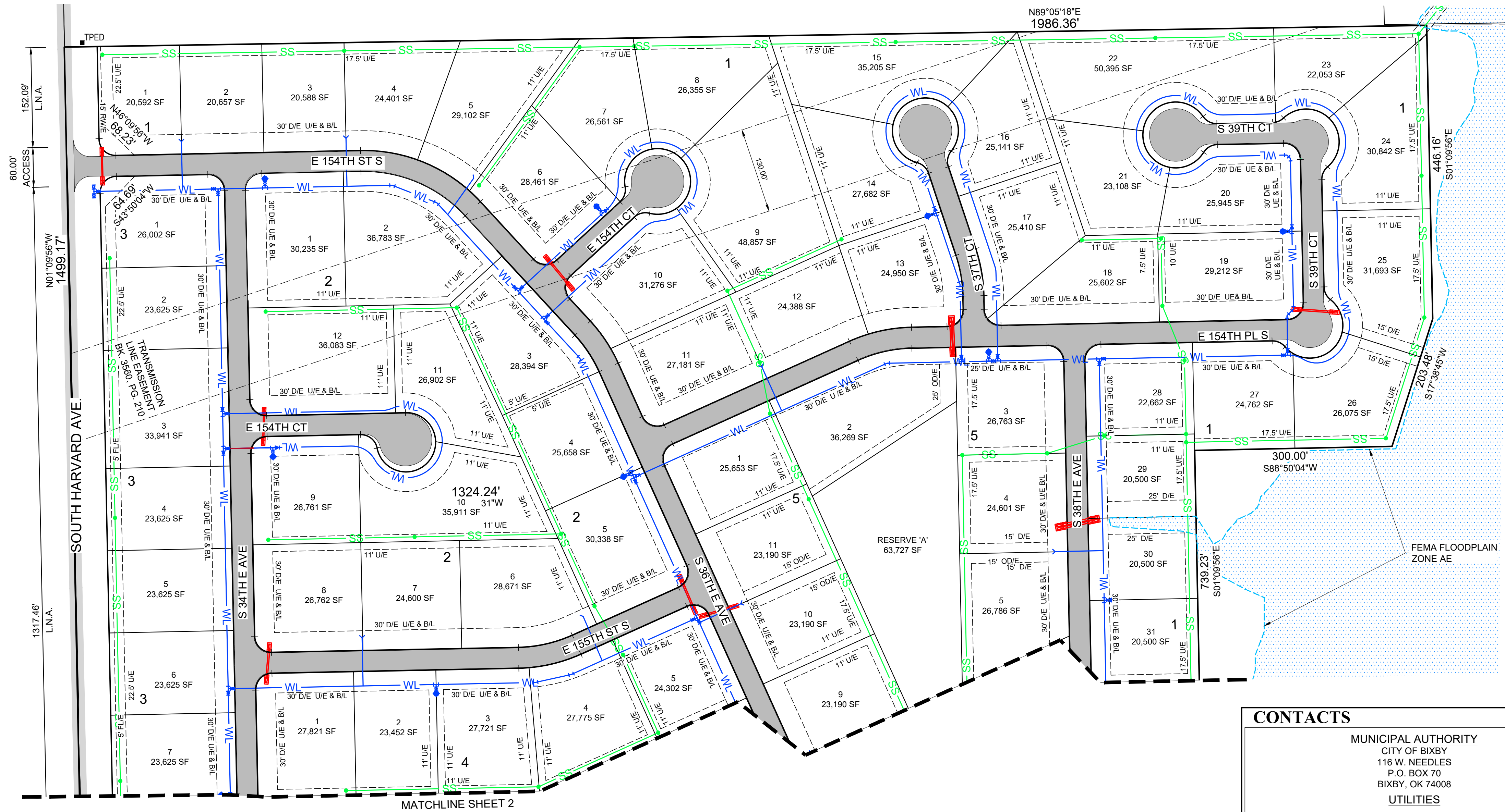
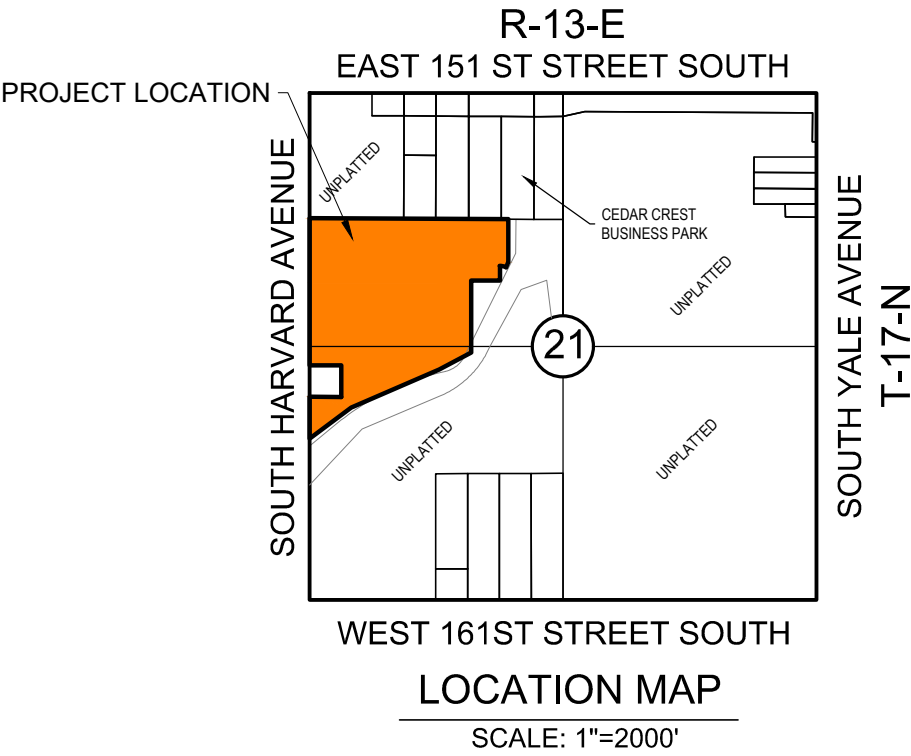


Bixby Meadows

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA BEING A PART OF THE W/2 OF SECTION TWENTY-ONE (21), TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN.

OWNER/DEVELOPER
WEST AVENUE INVESTMENTS, LLC
1420 W. KENOSHA ST.
BROKEN ARROW, OK 74012
PHONE: 918.258.6161
ATTN: MR. GLENN SHAW

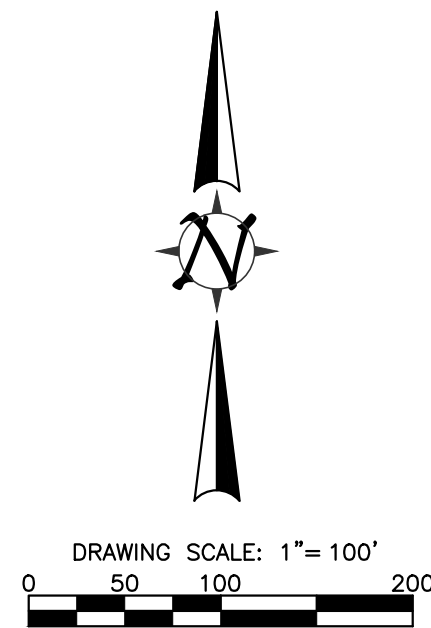
ENGINEER/SURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318 EXP. JUNE 30, 2020
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288



LEGEND	
B/L.....	BUILDING LINE
U/E.....	UTILITY EASEMENT
FL/E.....	FENCE EASEMENT
WL.....	EXISTING WATER LINE
SS.....	EXISTING SANITARY SEWER LINE
WL.....	PROPOSED WATER LINE
SS.....	PROPOSED SANITARY SEWER LINE
SS.....	PROPOSED STORM SEWER LINE
AS.....	PROPOSED ASPHALT PAVEMENT

FLOODPLAIN
1% ANNUAL CHANCE (100 YEAR) FLOODPLAIN AS SHOWN ON FIRM PANELS "40143C0433L" & "40143C0445L" DATED OCTOBER 16, 2012

CONTACTS	
MUNICIPAL AUTHORITY	
CITY OF BIXBY 116 W. NEEDLES P.O. BOX 70 BIXBY, OK 74008	
UTILITIES	
OKLAHOMA NATURAL GAS COMPANY 2319 W. EDISON ST. TULSA, OK 74127 918-834-8000	PUBLIC SERVICE COMPANY OF OKLAHOMA 212 E. 6TH ST. TULSA, OK 74119 1-888-216-3523
BTC 11134 S. MEMORIAL DR. BIXBY, OK 74104 918-366-8000	COX COMMUNICATIONS 11811 EAST 51ST STREET TULSA, OK 74145 918-286-4658
RWD #6 OKMULGEE CO. 11003 HECTORVILLE RD. MOUNDS, OK 74047-0340 918-827-6350	



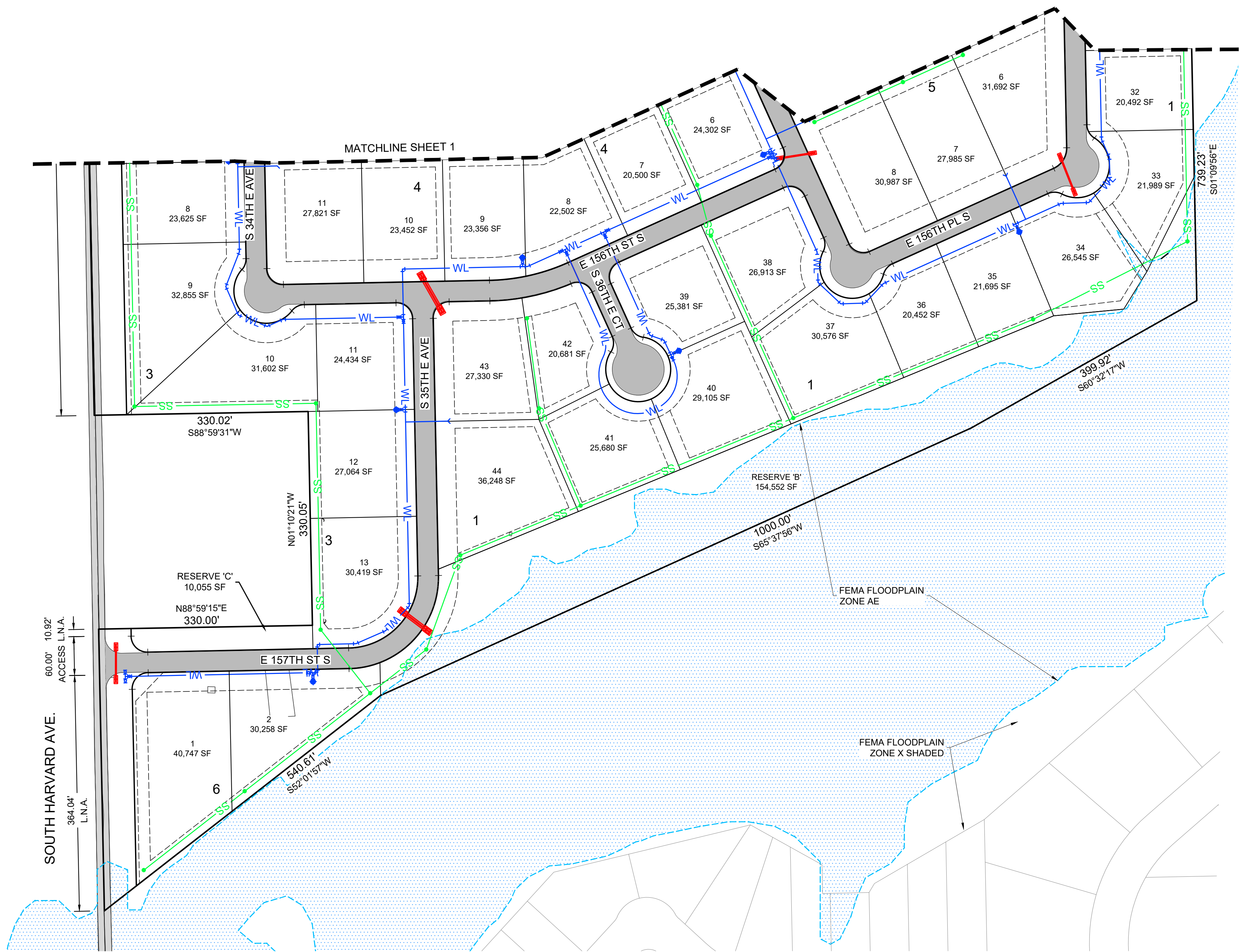
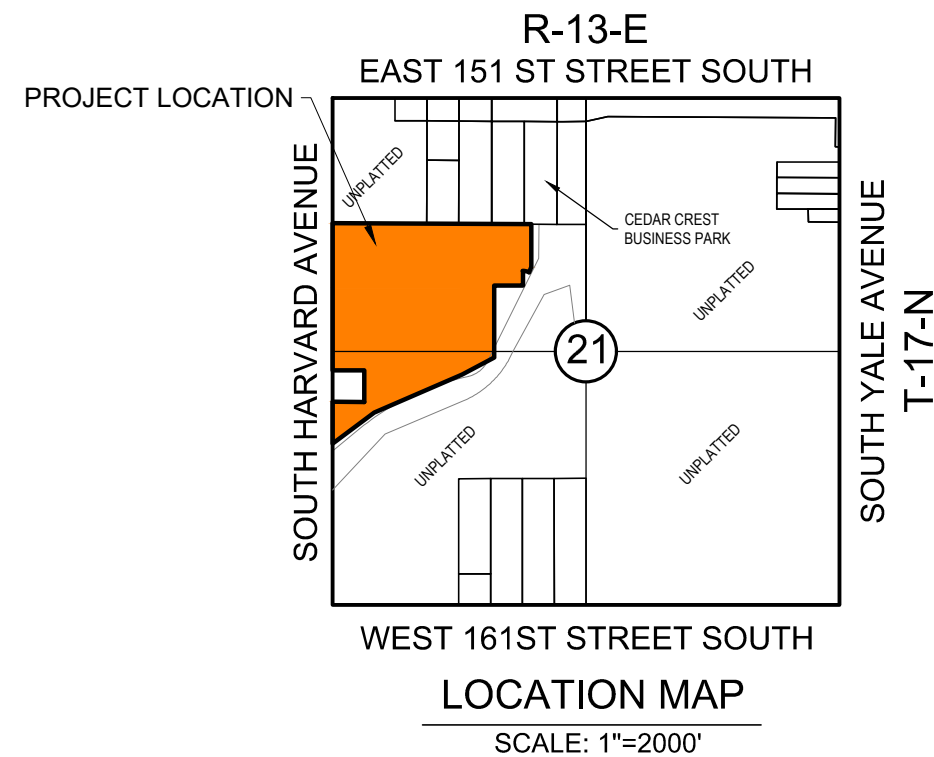
CONCEPTUAL IMPROVEMENTS

Bixby Meadows

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LEGEND	
B/L.....	BUILDING LINE
U/E.....	UTILITY EASEMENT
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WL.....	EXISTING WATER LINE
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FLOODPLAIN

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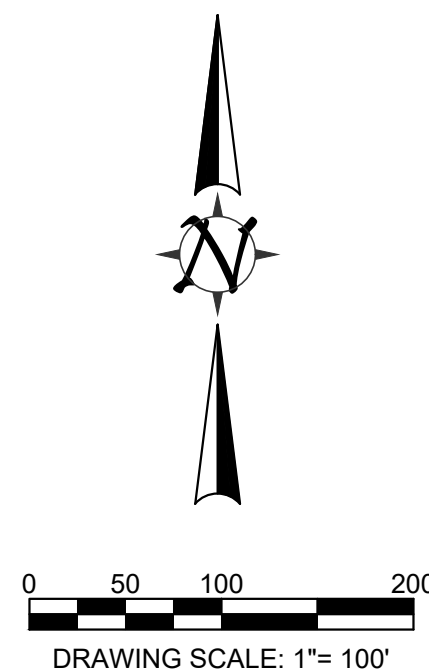
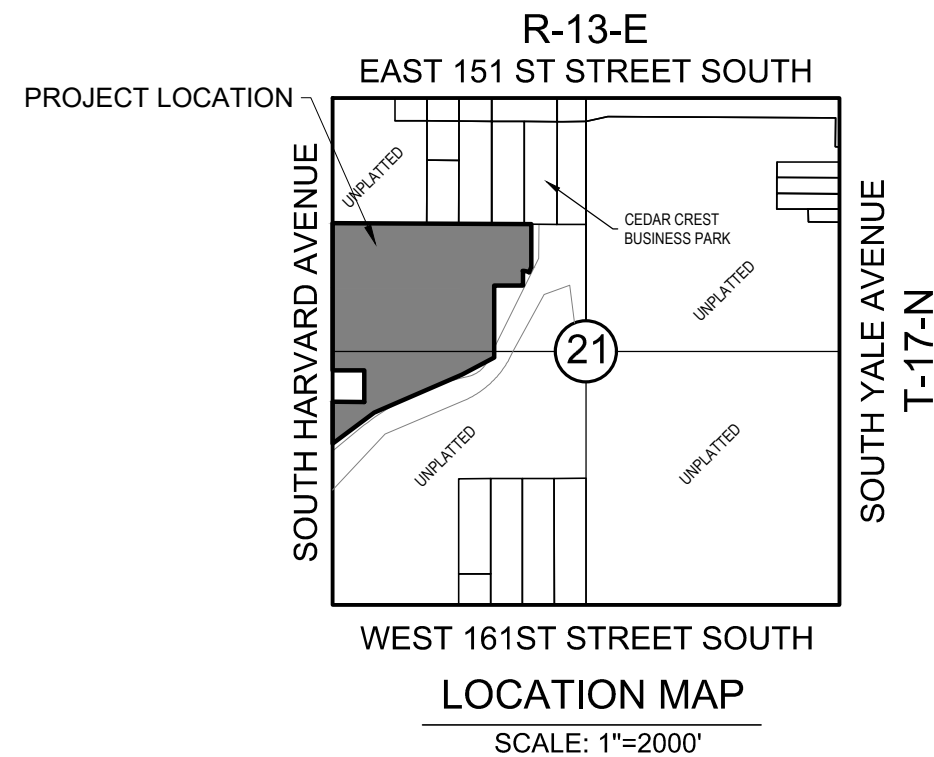
MUNICIPAL AUTHORITY	
CITY OF BIXBY 116 W. NEEDLES P.O. BOX 70 BIXBY, OK 74008	
UTILITIES	
OKLAHOMA NATURAL GAS COMPANY 2319 W. EDISON ST. TULSA, OK 74127 918-834-8000	PUBLIC SERVICE COMPANY OF OKLAHOMA 212 E. 6TH ST. TULSA, OK 74119 1-888-216-3523
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RWD #6 OKMULGEE CO. 11003 HECTORVILLE RD. MOUNDS, OK 74047-0340 918-827-6350	

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SUBDIVISION STATISTICS

SUBDIVISION CONTAINS NINETY-THREE (93) LOTS IN SIX (6) BLOCKS AND THREE (3) RESERVE AREAS. (73.18 TOTAL ACRES)

BLOCK 1 25.35 ACRES - 44 LOTS
BLOCK 2 7.30 ACRES - 12 LOTS
BLOCK 3 7.36 ACRES - 13 LOTS
BLOCK 4 5.56 ACRES - 11 LOTS
BLOCK 5 7.59 ACRES - 11 LOTS
BLOCK 6 1.61 ACRES - 2 LOTS

RESERVE A 1.46 ACRES
RESERVE B 3.24 ACRES
RESERVE C 0.11 ACRES

FLOODPLAIN

1% ANNUAL CHANCE (100 YEAR) FLOODPLAIN AS SHOWN ON FIRM PANELS "40143C0433L" & "40143C0445L" DATED OCTOBER 16, 2012

SUBDIVISION DATA

BENCHMARK
MAG NAIL IN CENTER OF S. HARVARD AVE. AT PROPERTY CORNER, 674.55 FEET SOUTH OF NORTHWEST CORNER OF BIXBY MEADOWS.

ELEV = 669.04 (NAVD 1988)

BASIS OF BEARINGS
GRID BEARING OF THE OKLAHOMA STATE PLANE COORDINATE SYSTEM - ZONE 3501 NORTH.

LAND AREA
2,034,023.24 SF ± / 46.69 ACRES ±

MONUMENTATION
ALL CORNERS WERE SET USING 3/8" X 18" REBAR WITH A YELLOW PLASTIC CAP STAMPED "AAB CA6318", UNLESS OTHERWISE NOTED.

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.

CONTACTS

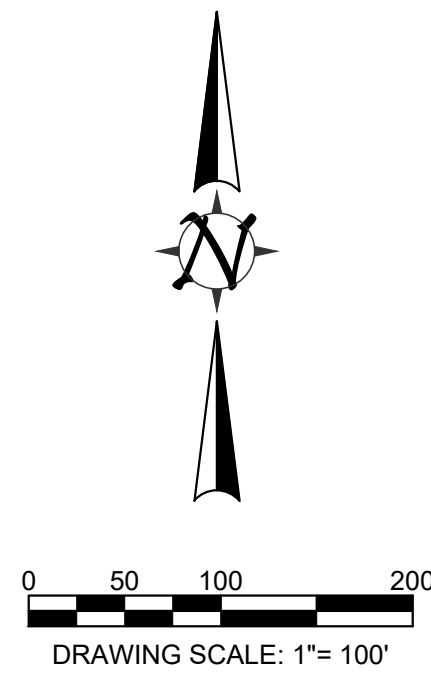
MUNICIPAL AUTHORITY
CITY OF BIXBY
116 W. NEEDLES
P.O. BOX 70
BIXBY, OK 74008

UTILITIES

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RWD #6 OKMULGEE CO. 11003 HECTORVILLE RD. MOUNDS, OK 74047-0340 918-827-6350	

LEGEND

B/L.....BUILDING LINE
LNA.....LIMITS OF NO ACCESS
POB.....POINT OF BEGINNING
POC.....POINT OF COMMENCEMENT
ROW.....RIGHT OF WAY
U/E.....UTILITY EASEMENT
FLE.....FENCE AND LANDSCAPE EASEMENT
SF.....SQUARE FEET
BK.....BOOK
PG.....PAGE
IPF.....IRON PIN FOUND
XXXX.....STREET ADDRESS
D/E.....DRAINAGE EASEMENT

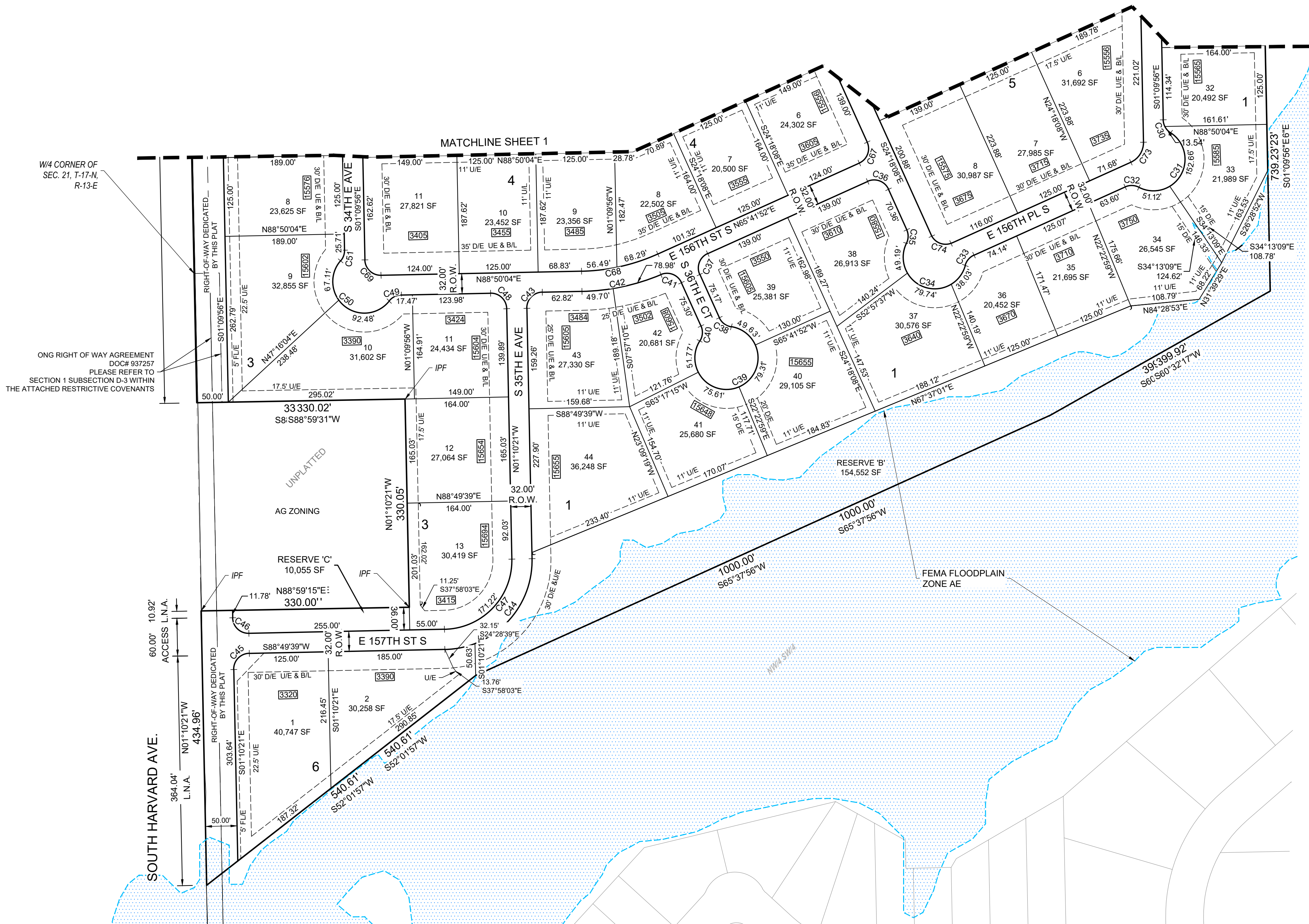
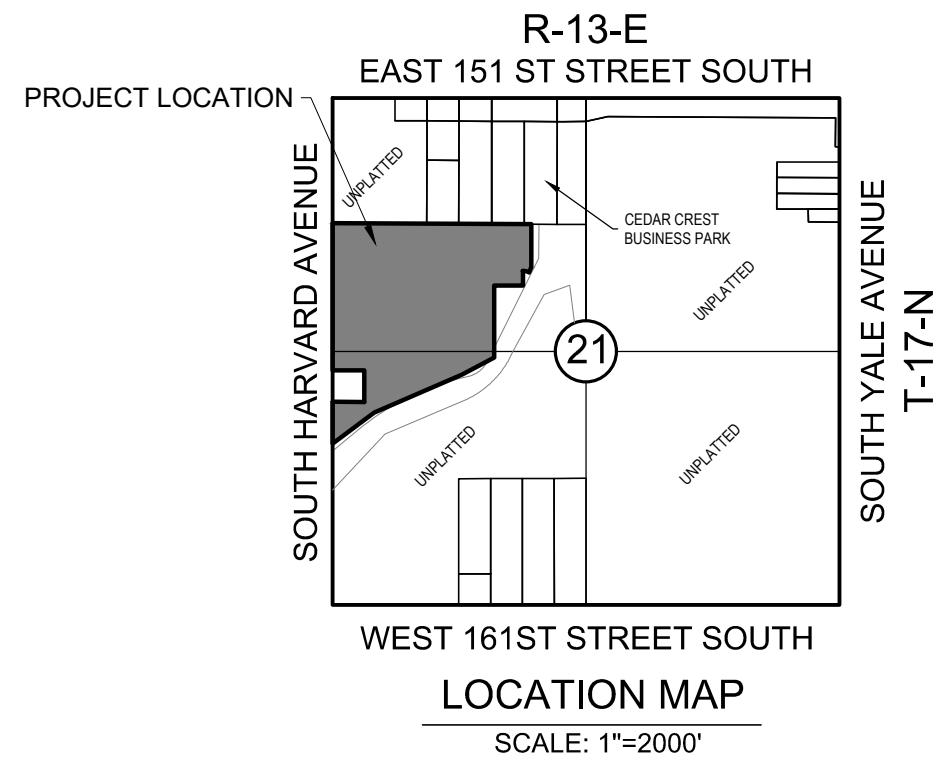


Bixby Meadows

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CURVE TABLE									
CURVE #	LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	CURVE #	LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	39.27'	25.00'	36.07'	S46°02'32"E	C38	24.81'	25.00'	23.80'	S52°43'58"E
C2	204.20'	241.00'	198.15'	S66°53'31"E	C39	256.21'	50.00'	54.67'	S65°41'52"W
C3	39.27'	25.00'	35.36'	S87°37'07"E	C40	24.81'	25.00'	23.80'	N04°07'43"E
C4	24.81'	25.00'	23.80'	N18°57'03"E	C41	38.61'	25.00'	34.88'	N68°32'41"W
C5	256.32'	50.00'	54.67'	S42°37'07"E	C42	128.68'	341.00'	127.92'	S78°01'25"W
C6	24.81'	25.00'	23.80'	S75°48'44"W	C43	39.27'	25.00'	35.36'	S43°49'52"W
C7	39.27'	25.00'	35.36'	S02°22'53"W	C44	172.60'	141.00'	162.02'	S33°53'43"W
C8	77.04'	241.00'	76.72'	S33°27'37"E	C45	39.44'	24.61'	35.36'	S43°49'39"W
C9	39.27'	25.00'	35.36'	S69°18'08"E	C46	39.27'	25.00'	35.36'	N46°10'21"E
C10	97.32'	241.00'	96.66'	N77°15'58"E	C47	171.22'	109.00'	154.15'	N43°49'39"E
C11	39.27'	25.00'	35.36'	N43°50'04"E	C48	39.27'	25.00'	35.35'	S46°10'08"E
C12	63.05'	209.00'	83.37'	N07°39'54"W	C49	22.10'	25.00'	21.23'	S63°52'07"W
C13	24.81'	25.00'	23.80'	N46°52'47"W	C50	159.59'	50.00'	99.91'	N50°30'09"W
C14	256.32'	50.00'	54.67'	N71°33'04"E	C51	18.42'	25.00'	18.01'	N19°56'37"E
C15	24.81'	25.00'	23.80'	S09°58'54"W	C52	39.27'	25.00'	35.36'	S46°09'56"E
C16	72.70'	241.00'	72.70'	S09°48'26"E	C53	39.27'	25.00'	35.36'	S43°50'04"W
C17	39.27'	25.00'	35.36'	S46°09'56"E	C54	39.27'	25.00'	35.36'	S43°50'04"W
C18	39.27'	25.00'	35.36'	N43°50'04"E	C55	177.09'	209.00'	171.84'	N66°53'31"W
C19	39.27'	25.00'	35.36'	N46°09'56"W	C56	66.81'	209.00'	66.53'	N33°27'37"W
C20	24.81'	25.00'	23.80'	S60°24'13"W	C57	39.27'	25.00'	35.36'	N20°41'52"E
C21	256.32'	50.00'	54.67'	N01°09'56"W	C58	84.40'	209.00'	83.82'	N77°15'58"E
C22	24.81'	25.00'	23.80'	S62°44'06"E	C59	39.27'	25.00'	35.36'	S46°09'56"E
C23	18.42'	25.00'	18.01'	N67°43'31"E	C60	39.27'	25.00'	35.36'	S43°50'04"W
C24	159.77'	50.00'	99.91'	S41°49'43"E	C61	34.96'	25.00'	32.18'	N51°06'04"W
C25	21.91'	25.29'	21.23'	S23°48'01"W	C62	204.31'	45.00'	68.88'	S38°53'56"W
C26	22.10'	25.00'	21.39'	S26°29'44"E	C63	39.27'	25.00'	35.36'	S46°09'56"E
C27	111.40'	50.00'	89.75'	S75°40'06"W	C64	39.27'	25.00'	35.36'	S43°50'04"W
C28	22.10'	25.00'	21.39'	N65°50'08"W	C65	97.32'	241.00'	96.66'	S77°15'58"W
C29	39.27'	25.00'	35.36'	N43°50'04"E	C66	39.27'	25.00'	35.36'	N69°18'08"W
C30	24.56'	25.00'	23.58'	S29°18'22"E	C67	39.27'	25.00'	35.36'	N20°41'52"E
C31	152.66'	50.00'	99.90'	S30°01'19"W	C68	124.78'	309.00'	123.93'	N77°15'58"E
C32	22.60'	25.00'	21.84'	N88°24'20"W	C69	39.27'	25.00'	35.36'	S46°09'56"E
C33	22.10'	25.00'	21.39'	S40°22'04"W	C70	39.27'	25.00'	35.36'	S20°41'52"W
C34	166.96'	50.00'	99.51'	N69°18'08"W	C71	84.40'	209.00'	83.82'	S77°15'58"W
C35	22.10'	25.00'	21.39'	N01°01'40"E	C72	39.27'	25.00'	35.36'	N46°09'56"W
C36	39.27'	25.00'	35.36'	N69°18'08"W	C73	39.68'	34.00'	37.46'	N32°15'58"E
C37	39.27'	25.00'	35.36'	S20°41'52"W	C74	35.32'	25.00'	32.53'	S69°18'08"E

Bixby Meadows

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA BEING A PART OF THE W/2 OF SECTION TWENTY-ONE (21), TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN.

OWNER/DEVELOPER

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FAX: 918.514.4268

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL PERSON BY THESE PRESENTS:

THAT WEST AVENUE INVESTMENTS, LLC, HEREINAFTER REFERRED TO AS "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND IN THE WEST HALF (W/2) OF SECTION TWENTY-ONE (21), 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 AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION TWENTY-ONE (21), THENCE SOUTH 01°09'56" EAST ALONG THE WEST LINE THEREOF, A DISTANCE OF 1324.62 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF (S/2) OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION TWENTY-ONE (21) AND THE POINT OF BEGINNING. THENCE NORTH 89°05'18" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF (S/2) OF THE NORTHWEST QUARTER, A DISTANCE OF 2069.88 FEET; THENCE SOUTH 01°09'56" EAST, A DISTANCE OF 446.16 FEET; THENCE SOUTH 17°38'45" WEST A DISTANCE OF 203.48 FEET; THENCE SOUTH 88°50'04" WEST, A DISTANCE OF 300.00 FEET; THENCE SOUTH 01°09'56" EAST, A DISTANCE OF 739.23 FEET; THENCE SOUTH 60°32'17" WEST, A DISTANCE OF 399.92 FEET; THENCE SOUTH 65°37'56" WEST, A DISTANCE OF 1000.00 FEET; THENCE SOUTH 52°01'57" WEST, A DISTANCE OF 540.61 FEET TO THE WEST LINE OF SAID SECTION TWENTY-ONE (21); THENCE NORTH 01°10'21" WEST ALONG THE WEST LINE OF SAID SECTION TWENTY-ONE (21), A DISTANCE OF 434.96 FEET; THENCE NORTH 88°59'15" EAST, A DISTANCE OF 330.00 FEET; THENCE NORTH 01°10'21" WEST, A DISTANCE OF 330.05 FEET; THENCE SOUTH 88°59'31" WEST A DISTANCE OF 330.02 FEET TO THE WEST LINE OF SAID SECTION TWENTY-ONE (21). THENCE NORTH 01°09'56" WEST ALONG SAID WEST LINE, A DISTANCE OF 1529.55 FEET TO THE POINT OF BEGINNING. CONTAINING 3,187,686 SQUARE FEET OR 73.18 ACRES.

AND THE OWNER HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO EIGHTY SIX LOTS AND RESERVE AREAS "A", "B", "C", IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "BIXBY MEADOWS", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA.

SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT, AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UIE" OR "UTILITY EASEMENT", FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM AND SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ANY OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON THE LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF 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 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, WHICH DO NOT CONSTITUTE AN OBSTRUCTION AS AFORESAID.

B. UTILITY SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE UTILITY EASEMENTS ALONG SOUTH HARVARD AVENUE. ALL OTHER SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST SERVICE PEDESTAL, TRANSFORMER OR GAS SERVICE LINE TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT, PROVIDED THAT THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE RIGHT-OF-WAY EASEMENT ON THE LOT COVERING FIVE FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE SERVICE PEDESTAL, TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL 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.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND

SERVICE FACILITIES LOCATED ON THEIR LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS 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.

- THE FOREGOING COVENANTS SET FOR IN THIS PARAGRAPH I.B SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

- 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.
- 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.
- THE CITY OF BIXBY, OKLAHOMA OR ITS 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.
- THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL EASEMENTWAYS 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.
- 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

- 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 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 THE GAS SERVICE.
- THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER OF THE LOT SHALL PAY FOR THE DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY THE ACTS OF THE OWNER, OR HIS AGENTS OR CONTRACTORS.
- ONG'S EASEMENT(S) RECORDED IN DOCUMENT NO. 937257 REMAIN IN FULL FORCE AND EFFECT. ONG'S EASEMENT(S) PRE DATE 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.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH I.D SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

E. SURFACE DRAINAGE

EACH LOT 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 THEIR LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH I.E SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.

F. PAVING AND LANDSCAPING WITHIN EASEMENTS

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 EASEMENT AREA 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.

G. FENCE AND LANDSCAPE EASEMENT

THE OWNER DOES HEREBY ESTABLISH AND GRANT FENCE EASEMENTS OVER AND UPON THE AREAS DESIGNATED AS "FIE" OR "FENCE EASEMENT" AND SHOWN ON THE ACCOMPANYING PLAT FOR THE USE AND BENEFIT OF BIXBY MEADOWS HOMEOWNERS ASSOCIATION. THE FENCE EASEMENTS ARE FOR THE LIMITED PURPOSE OF CONSTRUCTING AND MAINTAINING PERIMETER DECORATIVE FENCES AND ENTRY FEATURES INCLUDING BUT NOT LIMITED TO FENCES, WALLS, SPRINKLER SYSTEM, AND LANDSCAPING, AND FOR THE PURPOSES OF MAINTAINING AND REPAIR THEREOF, TOGETHER WITH THE RIGHT OF ACCESS OVER, ACROSS AND ALONG SUCH EASEMENTS AND OVER, ACROSS AND ALONG LOTS IN BIXBY MEADOWS, WHICH CONTAIN SUCH EASEMENTS.

H. RESERVE AREAS

- THE USE OF RESERVE AREA A IS DEDICATED ON THE PLAT FOR THE SUBDIVISION WITH THE PRIMARY USE OF STORMWATER DETENTION FACILITIES AND WITH ADDITIONAL USE AS OPEN SPACE, FENCING, AND LANDSCAPING, AS WELL AS UTILITY EASEMENTS AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. MAINTENANCE OF RESERVE AREA C WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER UNTIL CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. FENCING SHALL MEET THE CITY OF BIXBY ZONING ORDINANCE REQUIREMENTS AND SHALL NOT INTERFERE WITH THE DESIGNED PURPOSE OF THE DETENTION FACILITIES.
- THE USE OF RESERVE AREA B DEDICATED ON THE PLAT FOR THE SUBDIVISION SHALL BE LIMITED TO USE AS OPEN SPACE, FENCING, LANDSCAPING AND FLOODPLAIN AS WELL AS UTILITY EASEMENTS AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. MAINTENANCE OF RESERVE AREA C WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER UNTIL CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. FENCING SHALL MEET THE CITY OF BIXBY ZONING ORDINANCE REQUIREMENTS FOR ANY PROPOSED FENCING IN FLOODPLAIN AREAS.
- THE USE OF RESERVE AREA C DEDICATED ON THE PLAT FOR THE SUBDIVISION SHALL BE LIMITED TO USE AS OPEN SPACE, FENCING AND LANDSCAPING AS WELL AS UTILITY EASEMENTS AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. MAINTENANCE OF RESERVE AREA C WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER UNTIL CONVEYANCE TO THE HOMEOWNERS ASSOCIATION.

I. DRAINAGE EASEMENTS

- FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION AND FOR THE BENEFIT OF THE CITY OF BIXBY, OKLAHOMA, THE OWNER/DEVELOPER HEREBY ESTABLISHES AND GRANTS PERPETUAL EASEMENTS ON, OVER AND ACROSS ANY AREAS DESIGNATED ON THE PLAT AS "DRAINAGE EASEMENTS" FOR THE PURPOSES OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.
- DRAINAGE FACILITIES CONSTRUCTED IN ANY DRAINAGE EASEMENT SHALL BE IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE BIXBY, OKLAHOMA.
- NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN THE DRAINAGE EASEMENTS, NOR SHALL THERE BE ANY ALTERATION OF ANY GRADES OR CONTOURS IN THE EASEMENT AREAS, UNLESS APPROVED BY THE CITY OF BIXBY, OKLAHOMA, PROVIDED, HOWEVER, THAT THE PLANTING OF TURF OR SINGLE TRUNK TREES HAVING A CALIPER OF NOT MORE THAN TWO AND ONE-HALF (2 1/2) INCHES SHALL NOT REQUIRE APPROVAL. FENCING IS ALLOWED IN THE DRAINAGE EASEMENTS IF THE BOTTOM OF AN OPAQUE FENCE IS 6 INCHES ABOVE THE GRADE AND DOES NOT RESTRICT OVERLAND FLOW THROUGH THE EASEMENT, OR IF A NON-OPAQUE FENCE (CHAIN LINK, SPLIT RAIL, WROUGHT IRON FENCE) IS USED.
- ANY DRAINAGE EASEMENTS AREAS AS DEPICTED ON THE ACCOMPANYING PLAT, SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS ON WHOSE LOTS THE EASEMENTS LIE AND BY THE HOMEOWNERS' ASSOCIATION TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF BIXBY, OKLAHOMA, IN THE EVENT THE LOT OWNER(S) OR THE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN DRAINAGE EASEMENTS OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN THE EASEMENT AREA, OR THE ALTERATION OF THE GRADE OR CONTOUR THEREIN, THE CITY OF BIXBY, OKLAHOMA MAY ENTER THE EASEMENT AREA AND PERFORM MAINTENANCE NECESSARY TO THE ACHIEVEMENT OF THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE OR CONTOUR, AND THE COST THEREOF SHALL BE PAID BY THE LOT OWNER(S) OR HOMEOWNERS' ASSOCIATION. IN THE EVENT THE LOT OWNER(S) OR HOMEOWNERS' ASSOCIATION FAILS TO PAY THE COST 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, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT OWNER(S) OR HOMEOWNERS ASSOCIATION. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE JUDICIALLY FORECLOSED BY THE CITY OF BIXBY.

J. MINIMUM BUILDING SETBACKS AND YARDS

- NO BUILDING SHALL BE LOCATED NEARER TO THE RIGHT OF WAY OF AN ADJOINING PUBLIC STREET THAN THE BUILDING LINE DEPICTED ON THE ACCOMPANYING PLAT.
- EACH LOT SHALL MAINTAIN SIDE YARDS WHICH IN THE AGGREGATE ARE NOT LESS THAN TEN (10) FEET IN WIDTH AND NO SIDE YARD SHALL BE LESS THAN FIVE (5) FEET IN WIDTH.
- THE MINIMUM REAR YARD SHALL BE TWENTY (20) FEET. CUSTOMARY ACCESSORY STRUCTURES MAY BE LOCATED IN THE REQUIRED REAR YARD, BUT NO BUILDING SHALL BE ERECTED NEARER THAN FIVE (5) FEET TO ANY LOT LINE.
- NO BUILDING, WHETHER PRINCIPAL OR ACCESSORY, SHALL ENCROACH UPON ANY UTILITY EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT.

I. LIMIT OF NO ACCESS

THE UNDERSIGNED OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH HARVARD AVENUE WITHIN THE BOUNDS DESIGNATED "LNA" OR "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT.

SECTION II. PRIVATE RESTRICTIONS

FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF BIXBY MEADOWS, AND FOR THE PURPOSE OF MAINTAINING COMPATIBILITY OF THE IMPROVEMENTS THEREIN, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

I. ARCHITECTURAL COMMITTEE - PLAN REVIEW

NO BUILDING, STRUCTURE, FENCE, WALL, FREE STANDING MAILBOX SWIMMING POOL, OR CONCRETE DRIVEWAY SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT IN THE SUBDIVISION UNTIL THE PLANS AND SPECIFICATIONS HAVE BEEN APPROVED IN WRITING BIXBY MEADOWS LLC, OR ITS AUTHORIZED REPRESENTATIVES OR SUCCESSORS, WHICH ARE HEREINAFTER REFERRED TO AS THE "ARCHITECTURAL COMMITTEE" FOR EACH BUILDING OR STRUCTURE, THE REQUIRED PLANS AND SPECIFICATIONS SHALL BE SUBMITTED IN DUPLICATE AND INCLUDE A PLOT PLAN DEPICTING THE FACING OF THE BUILDING, DRAINAGE AND GRADING PLANS, AND EXTERIOR MATERIALS AND COLOR SCHEME. IN THE EVENT THE ARCHITECTURAL COMMITTEE FAILS TO APPROVE OR DISAPPROVE ANY PLANS, SPECIFICATIONS, COLOR SCHEME, MATERIALS AND PLOT PLANS SUBMITTED TO IT AS HEREIN REQUIRED WITHIN 10 DAYS AFTER THE SUBMISSION, OR IN THE EVENT NO SUIT TO ENJOIN THE ERECTION OF THE BUILDING OR STRUCTURE OR THE MAKING OF AN ALTERATION HAS BEEN COMMENCED PRIOR TO THE 30TH DAY FOLLOWING COMPLETION THEREOF, APPROVAL OF THE ARCHITECTURAL COMMITTEE SHALL NOT BE REQUIRED, AND THIS COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH. THE APPROVAL OR FAILURE TO APPROVE BUILDING PLANS SHALL NOT BE DEEMED TO BE A WAIVER OF ANY RESTRICTION.

THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION, AND IN ITS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED, MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE, THE MATERIALS OF WHICH IT IS TO BE BUILT, THE AVAILABILITY OF ALTERNATIVE MATERIALS, THE SITE UPON WHICH IT IS PROPOSED TO BE ERECTED, AND THE HARMONY THEREOF WITH THE SURROUNDING AREA. THE ARCHITECTURAL COMMITTEE SHALL NOT BE LIABLE FOR ANY APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OF OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE, OR CODE VIOLATIONS. THE ARCHITECTURAL COMMITTEE'S APPROVAL OF BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION, UNLESS THE ARCHITECTURAL COMMITTEE IS HEREINAFTER AUTHORIZED TO GRANT THE PARTICULAR WAIVER. NOTHING HEREIN CONTAINED SHALL BE DEEMED TO PREVENT ANY LOT OWNER IN THE SUBDIVISION FROM PROSECUTING ANY LEGAL ACTION RELATING TO IMPROVEMENTS WITHIN THE SUBDIVISION WHICH THEY WOULD OTHERWISE BE ENTITLED TO PROSECUTE.

THE ARCHITECTURAL COMMITTEE RESERVES THE RIGHT, IN THEIR SOLE DISCRETION AND WITHOUT JOINDER OF ANY OWNER AT ANY TIME SO LONG AS OWNER/DEVELOPER IS THE OWNER OF ANY LOT TO AMEND, REVISE, OR ABOLISH ANY ONE OR MORE OF THE COVENANTS AND RESTRICTIONS IN THIS SECTION III BY AN INSTRUMENT DULY EXECUTED AND ACKNOWLEDGED BY THEM AS THE ARCHITECTURAL COMMITTEE AND FILED IN THE COUNTY CLERK'S OFFICE IN THE COURTHOUSE OF TULSA COUNTY, STATE OF OKLAHOMA.

THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL, ON JANUARY 1, 2029, BE DEEMED TRANSFERRED TO THE ASSOCIATION PROVIDED FOR IN SECTION IV, OR UPON WRITTEN ASSIGNMENT TO THE ASSOCIATION BY THE OWNER, WHICHEVER EVENT FIRST OCCURS, AND THEREAFTER THE FOREGOING POWERS AND DUTIES SHALL BE EXERCISED BY THE BOARD OF DIRECTORS OF THE ASSOCIATION.

Bixby Meadows

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA BEING A PART OF THE W/2 OF SECTION TWENTY-ONE (21), TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN.

OWNER/DEVELOPER

WEST AVENUE INVESTMENTS, LLC

1420 W. KENOSHA ST.
BROKEN ARROW, OK 74012
PHONE: 918.258.6161
ATTN: MR. GLENN SHAW

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318 EXP. JUNE 30, 2022
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4263
FAX: 918.514.4268

J. FLOOR AREA

DWELLINGS SHALL HAVE A MINIMUM OF 2000 SQUARE FEET OF FINISHED HEATED LIVING AREA, ONE AND ONE-HALF (1 ½) OR TWO (2) STORY DWELLING SHALL HAVE A MINIMUM OF 2000 SQUARE FEET OF FINISHED HEATED LIVING AREA; PROVIDED HOWEVER, THE FIRST FLOOR SHALL HAVE A MINIMUM OF 2000 SQUARE FEET OF FINISHED HEATED LIVING AREA. THE COMPUTATION OF SQUARE FEET OF LIVING AREA SHALL EXCLUDE GARAGES, OPEN SPACES AND BREEZEWAYS.

K. GARAGES

EACH DWELLING SHALL HAVE AN ATTACHED ENCLOSED GARAGE PROVIDING SPACE FOR A MINIMUM OF TWO AUTOMOBILES. CARPORTS ARE PROHIBITED. GLASS IN VEHICULAR ENTRY DOORS SHALL REQUIRE ARCHITECTURAL COMMITTEE APPROVAL. ALL COMMERCIAL VEHICLES SHALL BE PARKED INSIDE A LOT OWNER'S GARAGE UNLESS PERFORMING REPAIR, CONSTRUCTION OR MAINTENANCE.

L. FOUNDATIONS

THE EXTERIOR SURFACE OF ANY EXPOSED FOUNDATION, INCLUDING STEMWALLS, SHALL BE OF BRICK, STONE OR STUCCO.

M. MASONRY

SEVENTY-FIVE (75%) OF THE SURFACE OF THE FIRST FLOOR PLATE LINE OF EXTERIOR WALLS (EXCLUDING WINDOWS AND DOORS) SHALL BE BRICK, STONE OR STUCCO, EXCEPT UNDER COVERED PORCHES AND PATIOS.

N. WINDOWS

VINYL OR WOOD WINDOWS SHALL BE USED, METAL WINDOWS ARE RESTRICTED, HOWEVER, THE ARCHITECTURAL COMMITTEE MAY IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST APPROVE A WAIVER OF THE METAL WINDOW RESTRICTIONS SET FORTH IN THIS SUBSECTION.

O. ROOF FLASHING

EXPOSED ROOF FLASHING, VENT PIPES AND CHIMNEY COVERS SHALL BE PAINTED.

P. ROOF PITCH

NO DWELLING SHALL HAVE A ROOF PITCH OF LESS THAN 8/12, PROVIDED HOWEVER, THAT A SHED ROOF OVER A PORCH OR DORMER SHALL HAVE A ROOF PITCH OF NO LESS THAN 4/12. ALL OTHER ROOF COMBINATIONS WILL REQUIRE ARCHITECTURAL COMMITTEE APPROVAL.

Q. ROOFING MATERIALS

ROOFING SHALL BE SELF-SEALING CERTAINTED LANDMARK WEATHERWOOD COLOR COMPOSITION SHINGLES OR EQUIVALENT; PROVIDING HOWEVER, IN THE EVENT SUCH ROOFING SHOULD HEREINAFTER NOT BE REASONABLY AVAILABLE, ALTERNATIVE ROOFING OF COMPARABLE QUALITY SHALL BE PERMITTED UPON A DETERMINATION OF THE ARCHITECTURAL COMMITTEE THAT THE PROPOSED ALTERNATIVE IS OF COMPARABLE OR BETTER QUALITY AND OF A DESIGN AND QUALITY WHICH IS COMPATIBLE WITH THE ROOFING FIRST DESCRIBED.

R. ON-SITE CONSTRUCTION

NO EXISTING OR OFF-SITE BUILT DWELLING MAY BE MOVED ONTO OR PLACED ON ANY LOT.

S. OUTBUILDING

OUTDOOR STORAGE BUILDINGS ARE NOT PERMITTED. OTHER OUTBUILDINGS, SUCH AS GAZEBOS, CABANAS, OR DETACHED GARAGES SHALL BE PERMITTED SUBJECT TO THE APPROVAL OF THE LOCATION, STYLE AND MATERIALS USED IN THE CONSTRUCTION BY THE ARCHITECTURAL COMMITTEE PRIOR TO CONSTRUCTION, AND PROVIDING THAT THE OUTBUILDING IS COMPATIBLE IN MATERIAL AND STYLE WITH THE PRIMARY RESIDENCE. NO OUTBUILDING SHALL BE ERECTED IN A LOCATION ON THE LOT THAT THE ARCHITECTURAL COMMITTEE DETERMINES WOULD REASONABLY OBSTRUCT THE VIEW OF A WATER FEATURE OR A GREENBELT FROM ANOTHER LOT.

T. SWIMMING POOLS

ABOVE GROUND SWIMMING POOLS ARE PROHIBITED.

U. INTERIOR FENCING

INTERIOR FENCING OR WALLS SHALL NOT EXTEND BEYOND THE FRONT BUILDING LINE OF THE LOT, AND IF A DWELLING IS BUILT BEHIND THE FRONT BUILDING LINE OF A LOT, NO FENCE MAY EXTEND BEYOND THAT POINT NEAREST THE STREET AT EACH END CORNER OF THE DWELLING. INTERIOR FENCES OR WALLS SHALL BE OF WOOD, BRICK, STUCCO, NATURAL STONE OR WROUGHT IRON. CHAIN LINK, BARBED WIRE, MESHED OR OTHER METAL FENCING IS SPECIFICALLY PROHIBITED. NO INTERIOR FENCE OR WALL SHALL EXCEED SIX (6) FEET IN HEIGHT. WOOD FENCING SHALL BE CAPPED AND HAVE THE SMOOTH SIDE FACING THE STREET. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THE FOREGOING RESTRICTIONS.

V. PERIMETER FENCING

THE OWNER/DEVELOPER SHALL INSTALL PERIMETER FENCING ON NORTH, EAST AND SOUTH PROPERTY LINES OF THE SUBDIVISION. EACH LOT OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE FOR SAID FENCING ABUTTING THEIR LOT.

W. ANTENNAS

EXTERIOR TELEVISION, "CB", RADIO OR OTHER TYPES OF ANTENNA SHALL BE PROHIBITED, PROVIDED HOWEVER, SATELLITE DISHES OR SIMILAR OUTSIDE ELECTRONIC RECEPTION DEVICES NOT EXCEEDING 20 INCHES IN DIAMETER AND NOT VISIBLE FROM THE FRONT BOUNDARY OF THE LOT, SHALL BE PERMITTED. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THE FOREGOING RESTRICTIONS.

P. LOT MAINTENANCE AND LANDSCAPING

EACH LOT SHALL BE PROFESSIONALLY LANDSCAPED AND FULLY SODDED PRIOR TO OCCUPANCY. EACH LOT SHALL INSTALL, OPERATE, AND MAINTAIN AN UNDERGROUND, PERMANENT IRRIGATION SYSTEM THAT COVERS THE FULL LOT. EACH LOT SHALL BE REQUIRED TO INSTALL AND MAINTAIN, AT LEAST ONE TREE IN THE FRONT YARD, MINIMUM 2" IN DIAMETER.

THE ASSOCIATION SHALL SELECT A VENDOR FOR YARD MAINTENANCE AS A PORTION OF THE LOT OWNER'S DUES. THE LOT OWNERS AUTHORIZE ANY SUCH VENDOR SELECTED BY THE HOMEOWNER'S ASSOCIATION TO ACCESS THE LOTS IN ORDER TO PERFORM YARD MAINTENANCE AND LANDSCAPING SERVICES. ANY LOT OWNER THAT OPTS OUT OF THIS SERVICE WILL NOT RECEIVE ANY DUES REDUCTION. LOTS THAT OPT OUT OF THIS SERVICE ARE REQUIRED TO MAINTAIN THEIR LOTS TO THE SUBDIVISION STANDARD. NO ADDITIONAL OUTSIDE YARD VENDORS THAT PERFORM SIMILAR YARD MAINTENANCE SERVICES ARE ALLOWED.

NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT, AND EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION FREE OF RUBBISH, TRASH, OR OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT UNSIGHTLY GROWTH OF WEEDS OR TALL GRASS.

Q. RECREATIONAL VEHICLES

BOATS, TRAILERS, CAMPER, MOTORHOMES AND SIMILAR RECREATIONAL EQUIPMENT SHALL NOT BE STORED ON ANY LOT FOR A PERIOD EXCEEDING 24 HOURS IF IN VIEW FROM AN ADJOINING STREET OR FROM AN ADJOINING LOT.

R. CLOTHESLINES AND TRASH RECEPTACLES

EXTERIOR CLOTHESLINE POLES OR OTHER OUTDOOR DRYING APPARATUS ARE PROHIBITED, GARBAGE CANS AND OTHER TRASH RECEPTACLES SHALL BE OUT OF VIEW FROM ANY ADJOINING STREET OR FROM ANY ADJOINING LOT EXCEPT DURING REASONABLE TIMES NECESSARY TO PERMIT CURBSIDE PICKUP. ONLY ONE COMMERCIAL TRASH SERVICE AT ANY TIME SHALL BE PERMITTED TO OPERATE WITHIN THE SUBDIVISION. SAID TRASH SERVICE SHALL BE DESIGNATED BY THE BOARD OF THE ASSOCIATION.

S. MAILBOXES

AS LONG AS A RURAL TYPE MAILBOX IS IN USE IN BIXBY MEADOWS FOR UNITED STATES POSTAL SERVICE, ALL MAILBOX PEDESTALS SHALL CONFORM IN DESIGN TO SPECIFICATIONS APPLICABLE TO THE SUBDIVISION AS ESTABLISHED BY THE ARCHITECTURAL COMMITTEE. THE MAILBOX SHALL BE POSITIONED SO THAT THE FRONT FACE IS APPROXIMATELY SIX (6) INCHES IN THE BASE OF THE CURB AND SIX (6) FEET FROM THE "INSIDE EDGE" OF THE DRIVEWAY. "INSIDE EDGE" SHALL MEAN THE EDGE OF THE DRIVEWAY WHICH BORDERS THE LARGEST CONTIGUOUS LOT AREA. THE TOP OF THE MAILBOX SHALL BE FORTY-TWO (42) INCHES FROM STREET LEVEL.

T. ANIMALS

NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND MAY BE MAINTAINED, BRED, SOLD, OR KEPT EXCEPT THAT TWO DOGS, TWO CATS, OR OTHER CUSTOMARY HOUSEHOLD PETS MAY BE KEPT PROVIDED THEY ARE NOT USED FOR COMMERCIAL PURPOSES. FOR THE PURPOSES OF THIS PARAGRAPH III.T, POT-BELLIED PIGS, PONIES AND KANGAROOS ARE NOT CUSTOMARY HOUSEHOLD PETS.

U. NOXIOUS ACTIVITY

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED OUT UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON THAT MAY BE, OR MAY BECOME ANY ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

V. SIGNAGE

NO SIGN OTHER THAN CUSTOMARY NAME PLATE AND ADDRESS SHALL BE LOCATED ON ANY LOT IN PUBLIC VIEW, EXCEPT ONE SIGN OF NOT MORE THAN FIVE (5) SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD. NO RENT OR LEASE SIGNS ARE ALLOWED.

W. MATERIALS AND STORAGE

NO LOT SHALL BE USED FOR THE STORAGE OF MATERIALS FOR A PERIOD OF GREATER THAN THIRTY (30) DAYS PRIOR TO THE START OF CONSTRUCTION AND THE CONSTRUCTION SHALL BE COMPLETED WITHIN NINE (9) MONTHS, THEREAFTER. EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION.

X. SPORTING EQUIPMENT, PLAY STRUCTURES/TRAMPOLINES

NO BASKETBALL GOALS OR OTHER SPORTING EQUIPMENT SHALL BE VISIBLE FROM THE STREET. PLAY STRUCTURES AND TRAMPOLINES ARE RESTRICTED TO BACK AND SIDE YARDS AND MUST BE SETBACK A MINIMUM OF FIVE FEET (5 FT.) FROM ALL PROPERTY LINES. PLAY STRUCTURES IN EXCESS OF TEN FEET (10 FT.) IN HEIGHT MUST BE APPROVED BY THE ARCHITECTURAL COMMITTEE PRIOR TO INSTALLATION. TRAMPOLINES ARE PERMITTED IN REAR YARDS PROVIDED THEY DO NOT EXCEED SIX FEET (6 FT.) IN HEIGHT AND ARE OUT OF VIEW OF ADJOINING LOT OWNERS.

Y. ON STREET PARKING LIMITATIONS

ON - STREET PARKING BY OWNERS OF LOTS OR THEIR TENANTS IS PROHIBITED, PROVIDED THAT THE ASSOCIATION MAY PERMIT, BY RULES AND REGULATIONS, ON- STREET PARKING DURING OCCASIONAL EVENTS WITHIN THE SUBDIVISION. COMMERCIAL VEHICLES PERFORMING MAINTENANCE AND REPAIRS SHALL NOT EXCEED 24 HOURS AT ANY ONE PERIOD OF TIME.

SECTION III. 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 BIXBY MEADOWS 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, INCLUDING BUT WITHOUT LIMITATION, RESERVE "A & B" AND THE FENCE EASEMENT FOR THE FURTHER PURPOSES OF ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF BIXBY MEADOWS. 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 BIXBY MEADOWS 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 BIXBY MEADOWS SHALL BE SUBJECT TO ASSESSMENT BY THE ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE PRIVATE STREETS, STORMWATER DETENTION FACILITIES, FENCE EASEMENT AND OTHER COMMON AREAS OF THE SUBDIVISION.

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 WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I, SHALL INURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II, PRIVATE RESTRICTIONS AND SECTION IV, HOMEOWNERS ASSOCIATION SHALL INURE ONLY TO THE BENEFIT OF AND BE ENFORCEABLE BY THE OWNERS OF THE RESIDENTIAL LOTS AND/OR THE ASSOCIATION. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, THE SUPPLIER OF UTILITY SERVICE AND/OR THE CITY OF BIXBY, OKLAHOMA MAY BRING AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT TO PREVENT THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IF THE UNDERSIGNED OWNER/ DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II OR SECTION III, IT SHALL BE LAWFUL FOR ANY PERSON OWNING ANY RESIDENTIAL LOT WITHIN BIXBY MEADOWS AND/OR THE ASSOCIATION TO BRING AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IN ANY JUDICIAL ACTION TO ENFORCE THE PROVISIONS OF SECTION II OR SECTION III, THE PREVAILING PARTY MAY RECOVER REASONABLE COSTS AND ATTORNEY FEES.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION 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 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 AND THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION II, PRIVATE RESTRICTIONS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY WEST AVENUE INVESTMENTS, LLC DURING SUCH PERIOD THAT WEST AVENUE INVESTMENTS, LLC IS THE OWNER OF AT LEAST 5 RESIDENTIAL LOTS WITHIN BIXBY MEADOWS OR ALTERNATIVELY THE COVENANTS CONTAINED WITHIN SECTION II MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF MORE THAN 75% OF THE RESIDENTIAL LOTS. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY WEST AVENUE INVESTMENTS, LLC (DURING ITS OWNERSHIP OF AT LEAST 5 RESIDENTIAL LOTS), AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF 75% OF THE RESIDENTIAL LOTS WITHIN BIXBY MEADOWS, THE INSTRUMENT EXECUTED BY WEST AVENUE INVESTMENTS, LLC SHALL PREVAIL DURING THE TIME OF WEST AVENUE INVESTMENTS, LLC'S OWNERSHIP OF AT LEAST 5 RESIDENTIAL LOTS, THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AS ABOVE SET FORTH SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

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

IN WITNESS WHEREOF, WEST AVENUE INVESTMENTS, LLC HAS EXECUTED THIS INSTRUMENT THE ____ DAY OF _____, 2023.

WEST AVENUE INVESTMENTS, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
GLENN SHAW, MANAGER

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY GLENN SHAW, MANAGER OF WEST AVENUE INVESTMENTS, LLC.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
COMMISSION NUMBER: _____

CERTIFICATE OF SURVEY

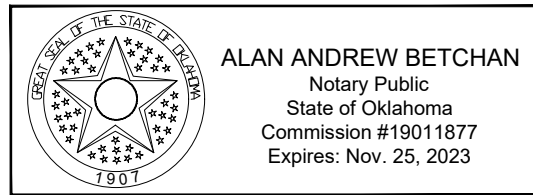
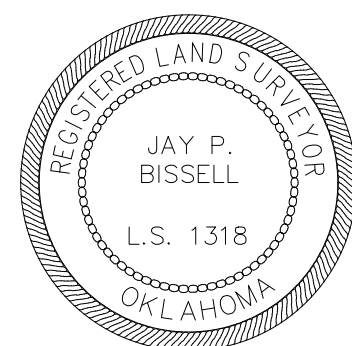
I, JAY P. BISSELL, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "BIXBY MEADOWS" A SUBDIVISION OF THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID 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
REGISTERED 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 ____ DAY OF _____, 2023, PERSONALLY APPEARED JAY P. BISSELL, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

NOTARY PUBLIC
MY COMMISSION EXPIRES: NOVEMBER 25, 2023
COMMISSION NUMBER: 19011877





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: O.C. Walker, Development Services Director / City Planner

Date: Monday, May 15, 2023

RE: Chick-fil-A, Store No. 5431

Location: 14811 South Memorial Drive, Bixby, Oklahoma

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

Applicant: Loue Reynolds, Eller & Detrich, P.C.

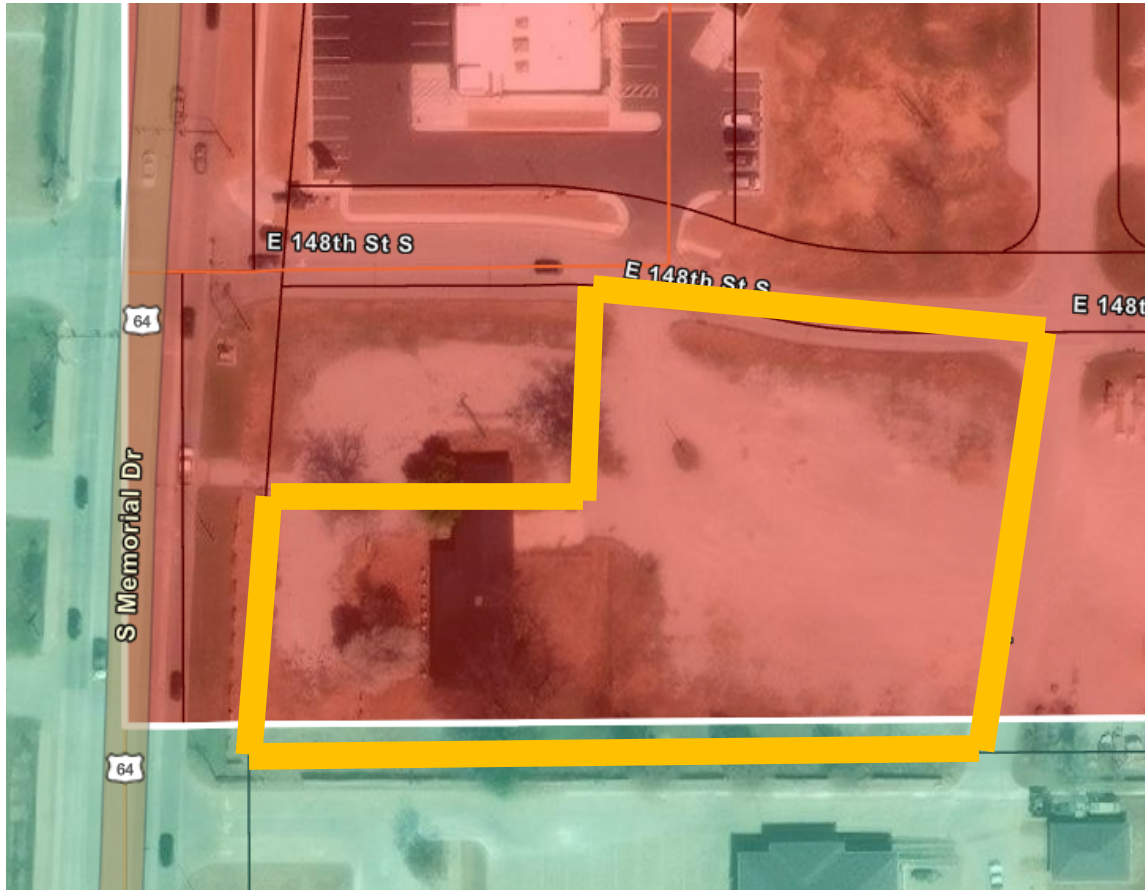
Request: The applicant requests approval of Site Plan BXSP-23.06 for Chick-fil-A restaurant. The site is located East of the Southeast corner of South Memorial Drive and East 148th Street South, Bixby. The land was re-platted as Lot 2, Block 1, Scooter's at Market Square.

Staff Review: All lighting and landscape shall be by zoning regulations. Provide a mutual access easement to the North of the site.

Existing Zoning; Use: The development Area is currently zoned "CG" (Commercial General).

Proposed Use: Restaurant – Use Unit 12

Exhibit A: City of Bixby Zoning Map



Staff Comments:

Planning Staff comments are as follows:

- By the Bixby Downtown Design Overlay Standards, this Redevelopment project is located within District 2.0, 2.2 District Descriptions. District 2, is designed to create pedestrian-friendly and attractive redevelopment, intensive landscaping and tree planting should be utilized to minimize the visual impact and reduce the heat island effect of large surface parking lots.

Engineering Comments: Staff has not received Engineering comments at this time.

Attachments:

Exhibit A: City of Bixby Zoning Map
Exhibit B: Site Plan

Staff's Recommendation: Replace the Bishop Market Square plat with the Scooter's at Market Square Plat dated April 19, 2023.

TITLE COMMITMENT INFORMATION

THE PROPERTY HEREON DESCRIBED IS THE SAME AS THE PERTINENT PROPERTY AS DESCRIBED IN FIDELITY NATIONAL TITLE INSURANCE COMPANY, TITLE COMMITMENT NUMBER 710702201405, DATED OCTOBER 12, 2022 AT 7:00 A.M.

SCHEDULE A DESCRIPTION

FOR APN/PARCEL ID(S): 57621-73-13-50740
FOR TAX MAP ID(S): 57621731350740

LOT ONE (1), BLOCK THREE (3), BISHOP MARKET SQUARE ADDITION, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6896.

THE LAND DESCRIBED ABOVE AND SHOWN HEREON IS THE SAME LAND AS DESCRIBED IN TITLE COMMITMENT ISSUES BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NUMBER 701702201405, WITH A COMMITMENT DATE OF 10/12/2022 AT 7:00 A.M.

NOTES CORRESPONDING TO SCHEDULE B

- ALL MATTERS AFFECTING SUBJECT PROPERTY AS SHOWN ON THE PLAT OF BISHOP MARKET SQUARE, RECORDED AS PLAT #6896, AND SUBJECT TO RATIFICATION OF PLAT RECORDED AS DOC. NO. 2020113993 (AFFECTS, PLOTTED AS SHOWN)
- UTILITY EASEMENT IN FAVOR OF CITIZENS SECURITY BANK & TRUST COMPANY RECORDED IN DOC. NO. 2007139733 (AFFECTS, PLOTTED AS SHOWN)
- CONSERVANCY DISTRICT NO. 23 CREATED IN THE DISTRICT COURT OF TULSA COUNTY CASE NO. 98272 IN DECREE RECORDED IN BOOK 3103, PAGE 610. (AFFECTS, BLANKET IN NATURE)
- CONSERVANCY DISTRICT NO. 25 CREATED IN THE DISTRICT COURT OF TULSA COUNTY CASE NO. 98918 IN DECREE RECORDED IN BOOK 3053, PAGE 487. (AFFECTS, BLANKET IN NATURE)
- FENCE EASEMENT IN FAVOR OF CITIZENS SECURITY BANK & TRUST COMPANY RECORDED IN DOC. NO. 2007139734 (AFFECTS, PLOTTED AS SHOWN)

PROPOSED DESCRIPTION

LOTS 1 & 2 OF SCOOTER'S AT MARKET SQUARE, A RE-SUBDIVISION OF LOT 1, BLOCK 3, BISHOP MARKET SQUARE, PLAT NO. 6896, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, SECTION 13, TOWNSHIP 17 NORTH, RANGE 13 EAST.

LAND AREA

84,801 SQUARE FEET ±
1.947 ACRES ±

PARKING INFORMATION

NO STRIPED PARKING OBSERVED

FLOOD ZONE INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "X-SHADED" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 40143C0434L, WHICH BEARS AN EFFECTIVE DATE OF 04/23/2021 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA

ZONE "X-SHADED" - AREA OF MODERATE FLOOD HAZARD, USUALLY THE AREA BETWEEN THE LIMITS OF THE 100- YEAR AND 500-YEAR FLOODS.

PROPERTY REMOVED FROM FLOOD ZONE "AE" PER LETTER OF MAP AMENDMENT CASE NO. 21-06-1620A, DATED APRIL 23RD, 2021.

BASIS OF BEARING

THE BASIS OF BEARING OF THIS SURVEY IS GRID NORTH BASED ON THE SOUTH LINE OF THE SUBJECT PROPERTY. THE BEARING IS DENOTED AS S 88°55'08" W PER GPS COORDINATE OBSERVATIONS OKLAHOMA STATE PLANE, NORTH ZONE NAD83. LATITUDE = 35°56'55.6730"
LONGITUDE = -96°53'07.1201"
CONVERGENCE ANGLE = +0°59'30.5357"

SIGNIFICANT OBSERVATIONS

- ROCK/BRICK WALL DISPLAYS APPEAR TO EXTEND OVER THE WEST BOUNDARY LINE AND INTO RIGHT-OF-WAY BY AS MUCH AS 5.6 FEET.

UTILITY INFORMATION

THE UTILITIES SHOWN ON THIS DRAWING HEREON HAVE BEEN LOCATED BY FIELD MEASUREMENTS, AND OKLAHOMA 811 DIG UTILITY LOCATE REQUEST AT 405-840-9957. ONLY THE DESIGNATED AREAS WERE LOCATED AT THE TIME OF ALTA SURVEY, AND ANY UNDERGROUND UTILITIES OUTSIDE THESE DESIGNATED AREAS WERE NOT LOCATED. BLEW AND ASSOCIATES MAKES NO WARRANTY TO THE EXACT LOCATION OF ANY UNDERGROUND UTILITIES SHOWN OR NOT SHOWN ON THIS DRAWING. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ANY AND ALL UTILITIES PRIOR TO CONSTRUCTION. DESIGN TICKET NUMBER: 23010518523823

COMPANY: BIXBY TELE CENTRAL
USIC/COX COMMUNICATIONS
CITY OF BIXBY
AT&T DISTRIBUTION
OKLAHOMA NATURAL GAS

CONTACT: 918-366-8000
918-286-4587
918-366-0438
539-444-1026
405-551-6889

BENCHMARK INFORMATION

SBM #1 N: 358050.57
E: 258320.51
ELEV: 613.85'
TULSA CONTROL MONUMENT #2

SBM #2 N: 352259.07
E: 258419.06
ELEV: 605.15'
MAG-NAIL & WASHER

SBM #3 N: 351975.72
E: 2584101.97
ELEV: 605.72'
CHISELED BOX IN CONCRETE

ZONING INFORMATION

PROPERTY IS CURRENTLY ZONED:
AWAITING ZONING REPORT

ITEM	REQUIRED	OBSERVED	NOTES:
PERMITTED USE		OFFICE	Because there may be a need for interpretation of the applicable zoning codes, we refer you to Tulsa County for zoning laws and applicable codes.
MIN. LOT AREA		84,801 SQ. FT. ±	
MIN. LOT WIDTH		213.57'	
MAX. BLDG COVERAGE		3.4% ±	
MIN. SETBACKS FRONT		77.6'	
MIN. SETBACKS SIDE		97.9'	
MIN. SETBACKS REAR		222.1'	
MAX. BUILDING HEIGHT		15.8' ±	
PARKING REGULAR		0	
PARKING HANDICAP		0	
PARKING TOTAL		0	

TREE TABLE

Tag	Trunk	Tree Type	Drip
T1	40"	MOHAGANY	20'
T2	36"	HACKBERRY	15'
T3	48"	HACKBERRY	15'
T4	35"	HACKBERRY	15'
T5	20"	COTTONWOOD	8'
T6	25"	COTTONWOOD	8'
T7	20"	COTTONWOOD	8'
T8	14"	HACKBERRY	9'
T9	16"	DOGWOOD	10'
T10	16"	BIRCH	10'
T11	22"	OAK	13'
T12	35"	OAK	15'
T13	25"	MOHAGANY	18'
T14	20"	CEDAR	20'

LINE TABLE

LINE	BEARING	DISTANCE
L1(M)	S 77°52'02" E	31.78'
L2(M)	S 01°03'48" E	92.59'
L3(M)	S 88°56'12" W	199.68'

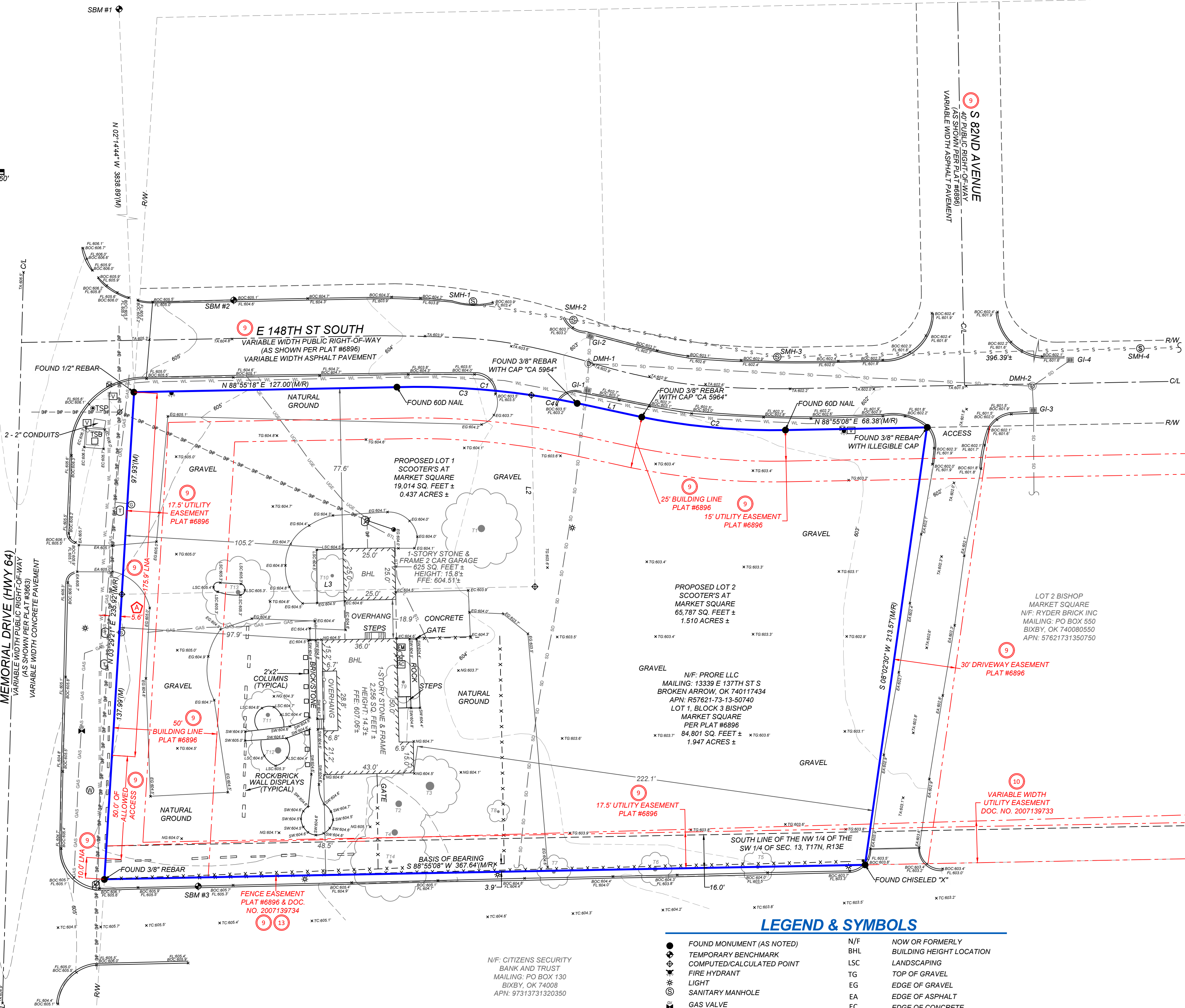
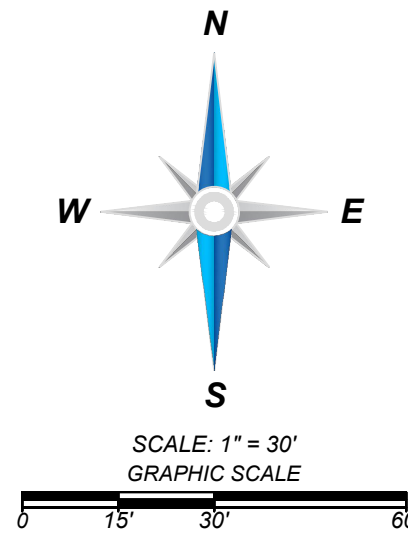
CURVE TABLE

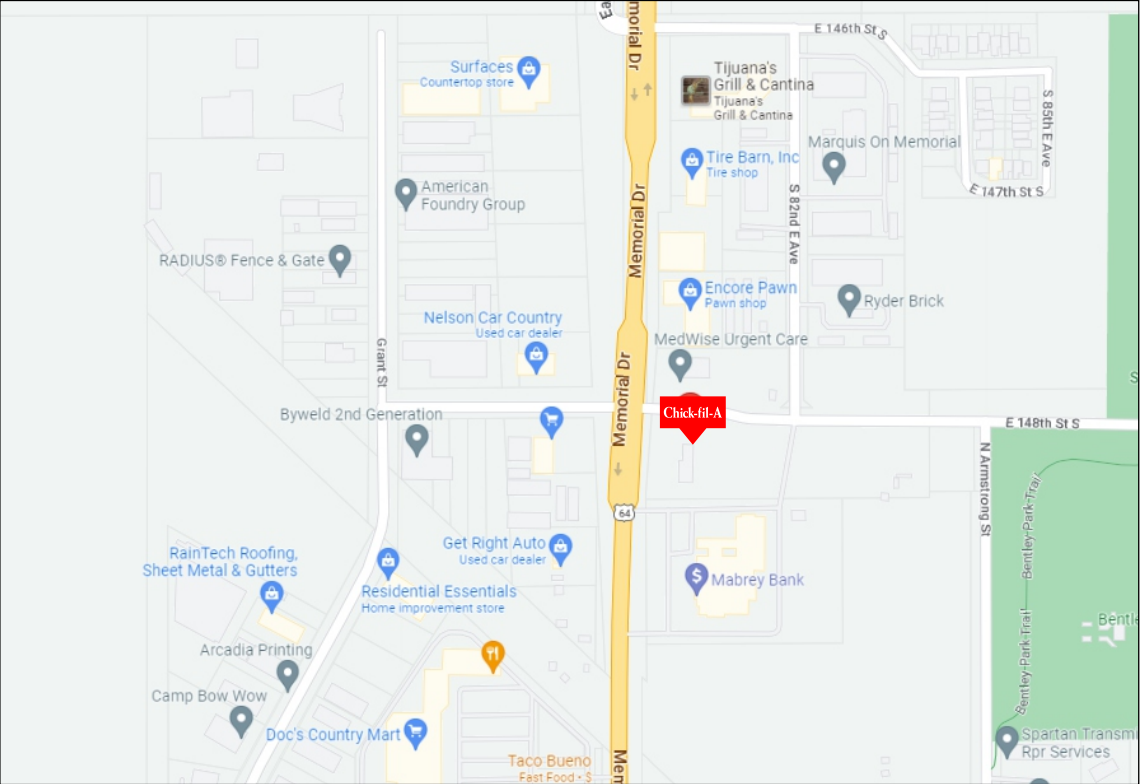
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1(M)	380.48'	87.73'	13°12'41"	S 84°54'02" E	87.54'
C1(R)	276.68'	88.02'			
C2(M)	320.00'	69.91'	12°31'02"	S 84°49'21" E	69.77'
C2(R)	320.00'	69.91'			
C3(M)	380.48'	65.19'	9°48'58"	S 86°35'54" E	65.11'
C4(M)	380.48'	22.55'	3°23'43"	S 79°59'33" E	22.54'

ALTA/NSPS LAND TITLE SURVEY

14801 SOUTH MEMORIAL DRIVE

BIXBY, TULSA COUNTY, OKLAHOMA 74008

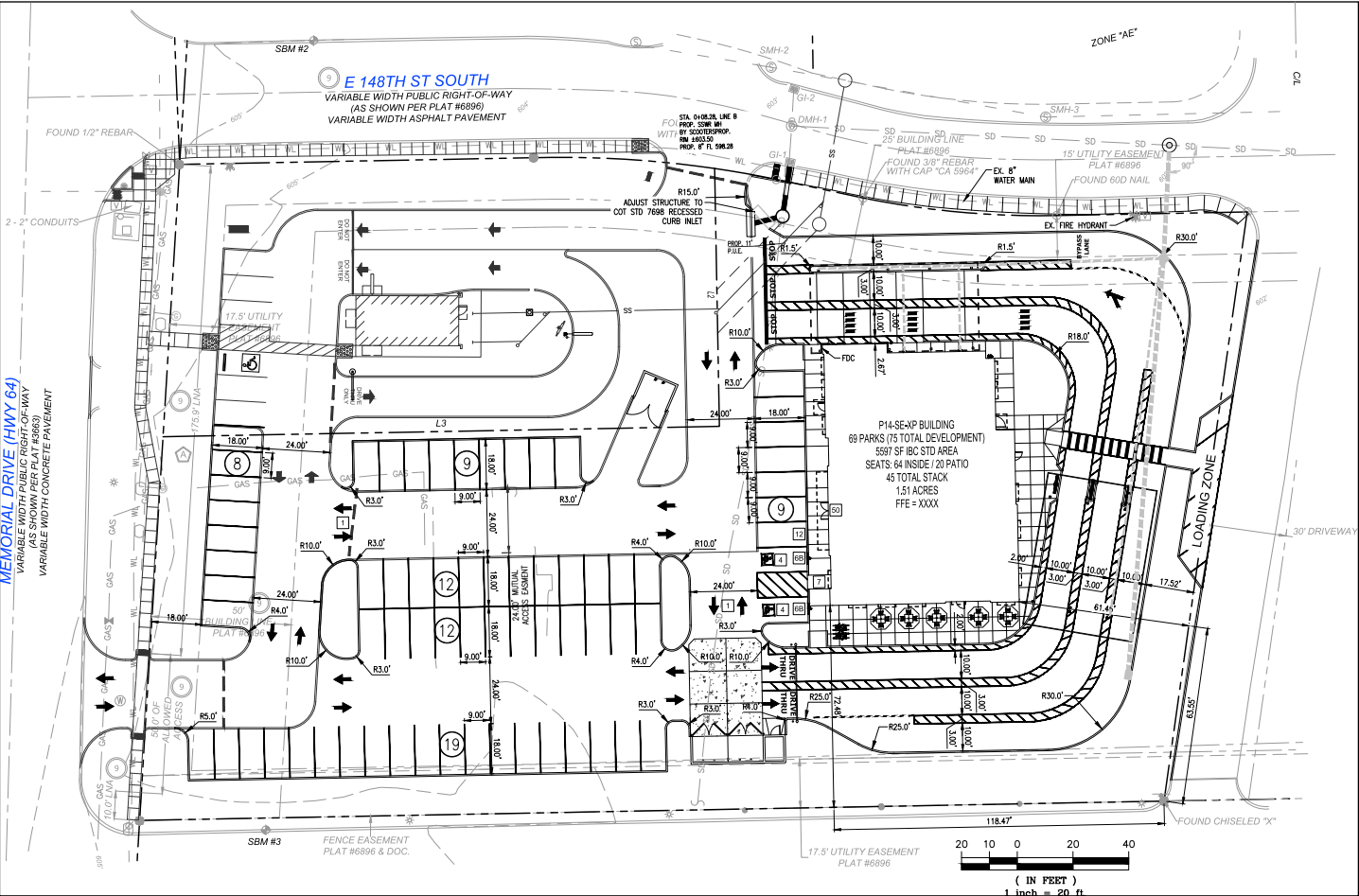




VICINITY MAP N.T.S. NORTH



AERIAL VIEW N.T.S.



SITE PLAN SCALE: 1/64" = 1'-0" NORTH

KRISTEN HAMILTON - 678-725-8852

KHamilton@chandlersigns.com

SCARLETT QUINTERO - 210-349-3804

SQuintero3@chandlersigns.com

0634886AR1

Sheet 1 of 30

Client

#5431

Address

14801 S Memorial Dr E,
Bixby, OK

Account Rep. KRISTEN HAMILTON
SCARLETT QUINTERO

Designer LEAH LANSFORD

Date 3/27/23

Approval / Date

Client

Sales

Estimating

Art

Engineering

Landlord

Revision/Date

R1030023LL: REMOVED E2, G2, K FROM ART.
MOVED SIGN F



National Headquarters 14201 Sovereign Road #101
Fort Worth, TX 76155
(214)900-2000 Fax (214)902-2044

San Antonio 17319 San Pedro Ave
Ste 200
San Antonio, TX 78232
(210)349-3804 Fax (210)349-8724

Northeast US 2301 River Road Ste 201
Louisville, KY 40206
(502) 897-9800 Cell (502) 554-2575

Georgia 111 Woodstone Place
Dawsonville, GA 30534
(678) 725-8852 Fax (210) 349-8724

South Texas PO BOX 125 206 Doral Drive
Portland, TX 78374
(361) 563-5599 Fax (361) 643-6533

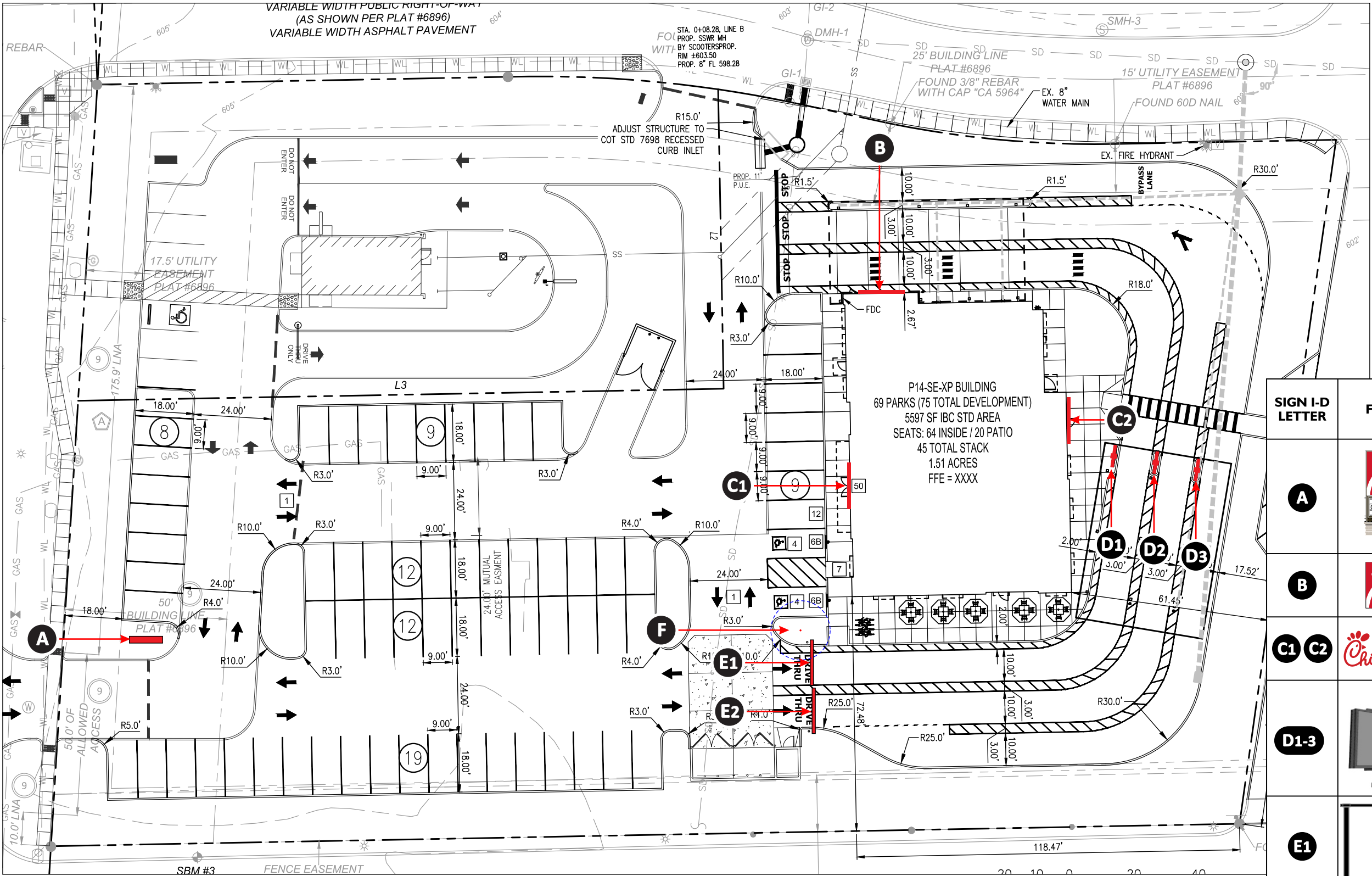
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FINAL ELECTRICAL
CONNECTION BY
CUSTOMER

THIS SIGN IS INTENDED TO BE INSTALLED
IN ACCORDANCE WITH ARTICLE 600 OF THE
NATIONAL ELECTRICAL CODE AND/OR OTHER
APPLICABLE LOCAL CODES. THIS INCLUDES
PROPER GROUNDING & BONDING OF THE SIGN.
SIGN WILL BEAR UL LABEL(S).

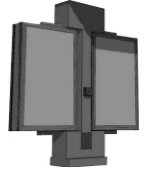


SITE PLAN



SITE PLAN 1

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

SIGN I-D LETTER	FACE A	FACE B
A		
B		N/A
C1 C2	 5'-0"	N/A
D1-3		N/A
E1		N/A
E2		N/A
F	 18'	N/A

0634886AR1

Sheet 2 of 30

Client

#5431

Address

14801 S Memorial Dr E,
Bixby, OK

Account Rep. KRISTEN HAMILTON
SCARLETT QUINTERO

Designer LEAH LANSFORD

Date 3/27/23

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R1030023LL: REMOVED E2, G2, K FROM ART.
MOVED SIGN F

 CHANDLER
SIGNS

National Headquarters 14201 Sovereign Road #101
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(214)902-2000 Fax (214)902-2044

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Ste 200
San Antonio, TX 78232
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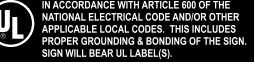
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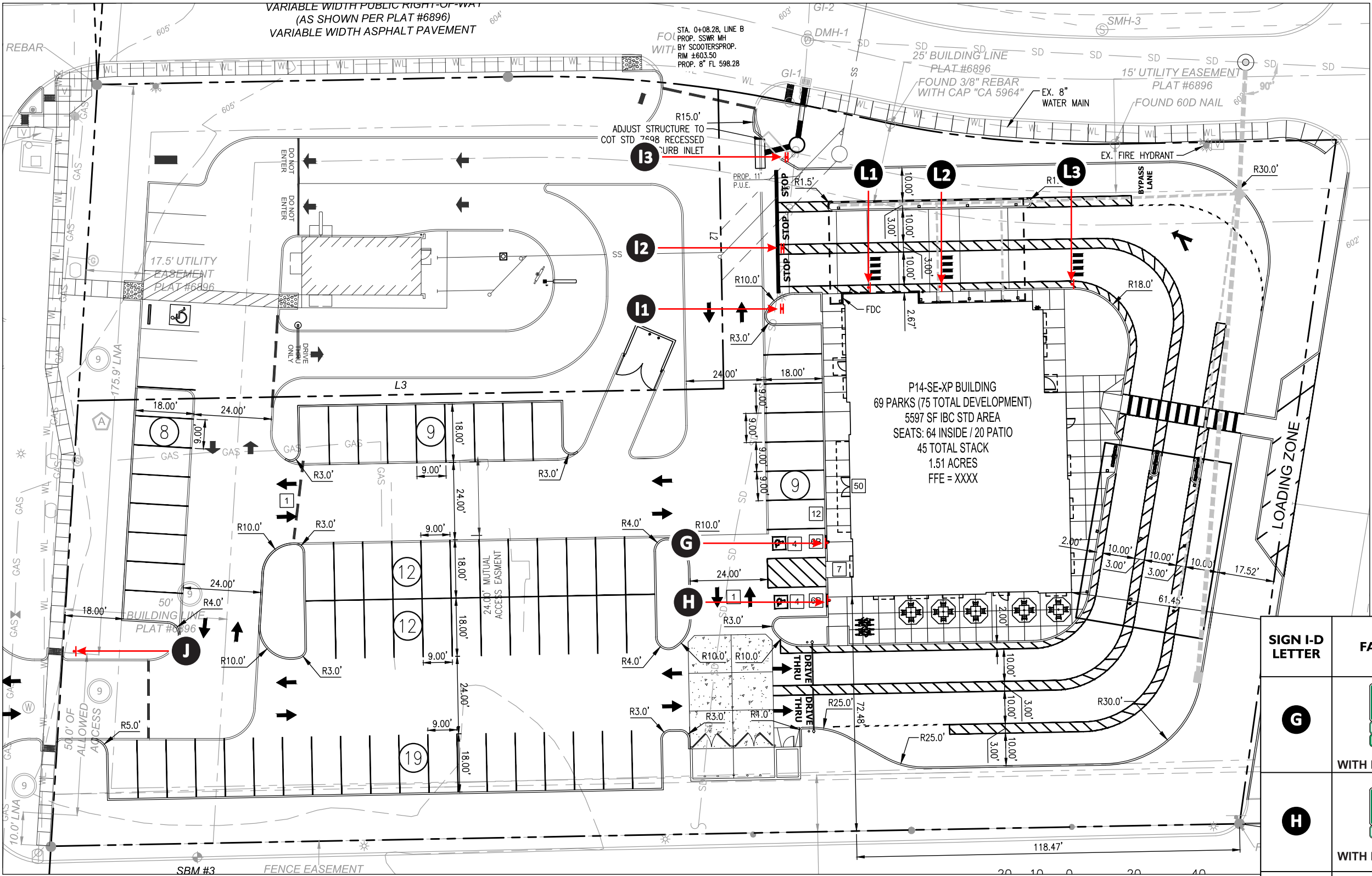
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CONNECTION BY
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SIGN WILL BEAR UL LABEL(S).



SITE PLAN 1



SITE PLAN 2 SCALE: 1/32" = 1'-0"

PORTABLE BASES		
SIGN I-D LETTER	FACE A	FACE B
L1-3		N/A

SIGN I-D LETTER	FACE A	FACE B
G	 WITH BOLLARD	N/A
H	 WITH BOLLARD	N/A
I1-3		
J		N/A

0634886AR1

Sheet3 of 30

Client

#5431

Address

14801 S Memorial Dr E,
Bixby, OK

Account Rep.

KRISTEN HAMILTON
SCARLETT QUINTERO

Designer

LEAH LANSFORD

Date

3/27/23

Approval / Date

Client

Sales

Estimating

Art

Engineering

Landlord

Revision/Date

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MOVED SIGN F

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(210)349-3804 Fax (210)349-8724

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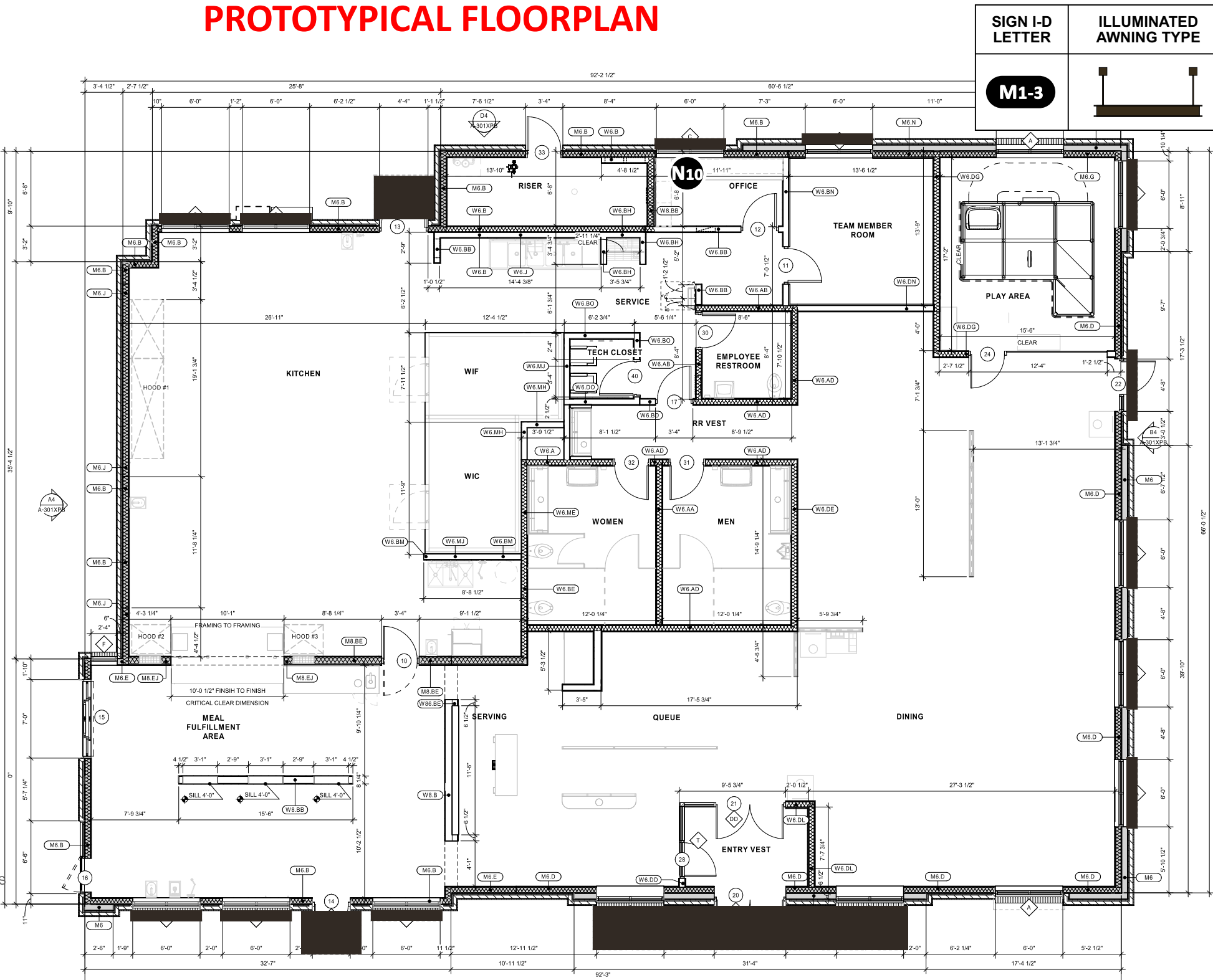
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SITE PLAN 2

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PROTOTYPICAL FLOORPLAN



SIGN I-D LETTER	ILLUMINATED AWNING TYPE	SIGN I-D LETTER	NON-ILLUMINATED AWNING TYPE	SIGN I-D LETTER	ILLUMINATED AWNING TYPE
M1-3		N1-13		O	

FLOOR PLAN - P14 SE MED SCALE: 3/32" = 1'-0"

NOTE:
FOR LOCATION OF BUILDING SIGNS AND DRIVE-THRU ITEMS; REFER TO SITE PLAN 1 ON PAGE 3.
FOR LOCATIONS OF TRAFFIC D.O.T. SIGNS REFER TO SITE PLAN 2 ON PAGE 4 AND PAGE 18.

ATTACHED CANOPY SCHEDULE						
Mark	Description	Count	Overall Width	Overall Depth	Tie Back Mounting (Offset From Top)	Integral Lighting
C1-C	Exterior Canopy	13	6'-4"	1'-0"	0"	No
C1-K	Exterior Canopy	1	5'-0"	1'-0"	0"	Yes
C4-B	Exterior Canopy	2	5'-4"	4'-0"	2'-4"	Yes
C4-L	Exterior Canopy	1	28'-0"	4'-0"	2'-4"	Yes
Grand total		17				

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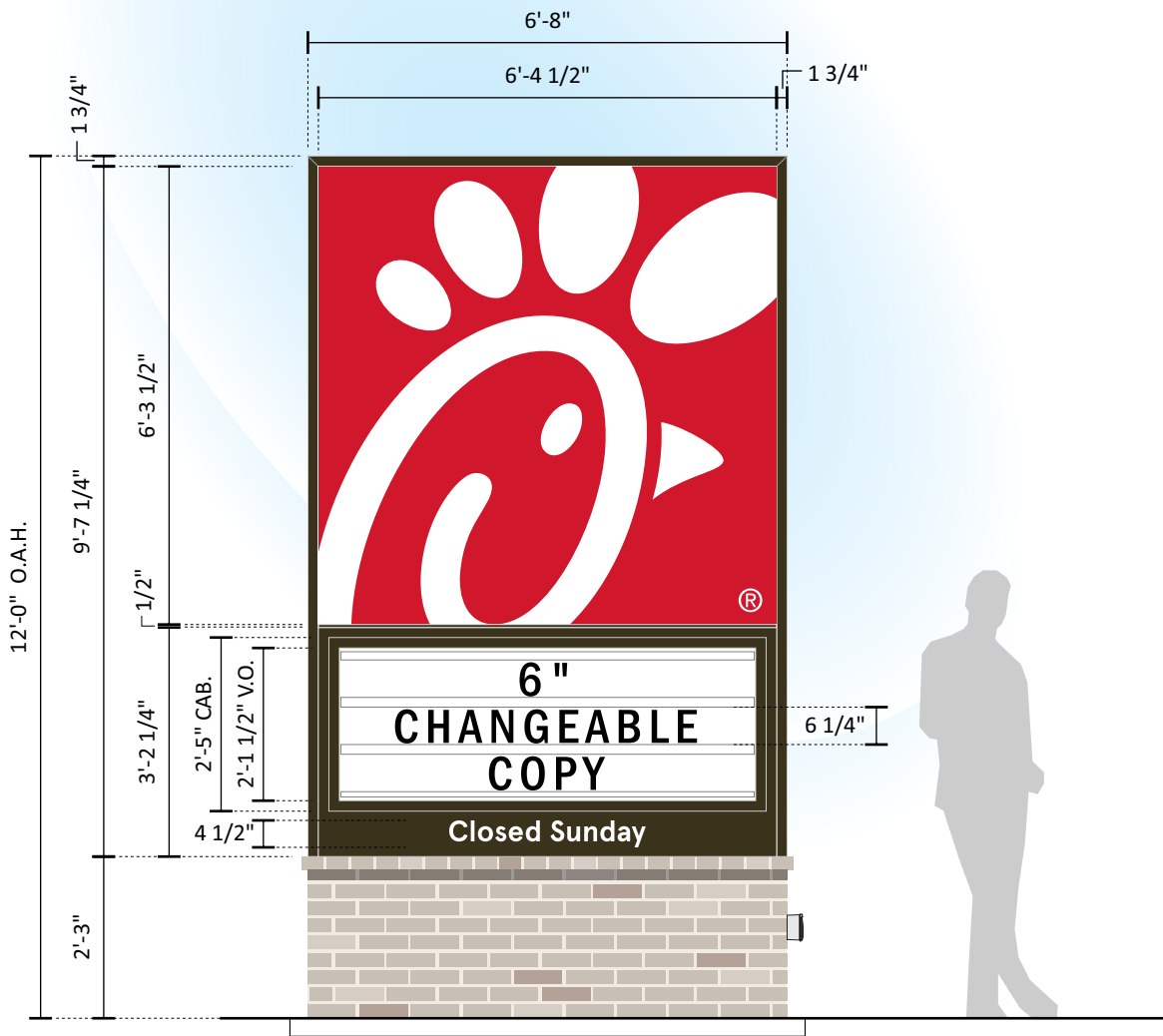
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SITE PLAN 3

PROTOTYPICAL FLOORPLAN



A

D/F MONUMENT SIGN

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

SCALE: 3/8" = 1'-0"

65 SQ. FT.

SPECS:
MONUMENT IS EXTRUDED ALUM. FRAME WITH ALUM. TUBE FRAME BASE. .080" ALUM. CLADDING PAINTED MATTHEWS #74155 DARK BRONZE, SEMI-GLOSS.

MAIN ID LOGO FACES
EXTRUDED ALUM. CABINET PAINTED MATTHEWS #74155 DARK BRONZE, SEMI- GLOSS. WHITE BLEED 3M PANOGRAPHIC III FACES WITH 3M #3630-53 CARDINAL RED TRANSLUCENT VINYL APPLIED 1ST SURFACE. TENSION FRAME RETAINER TO BE PAINTED GENESIS M SINGLE STAGE (G2-SERIES) RED #48247. CABINET IS INTERNALLY ILLUMINATED WITH WHITE LED'S.

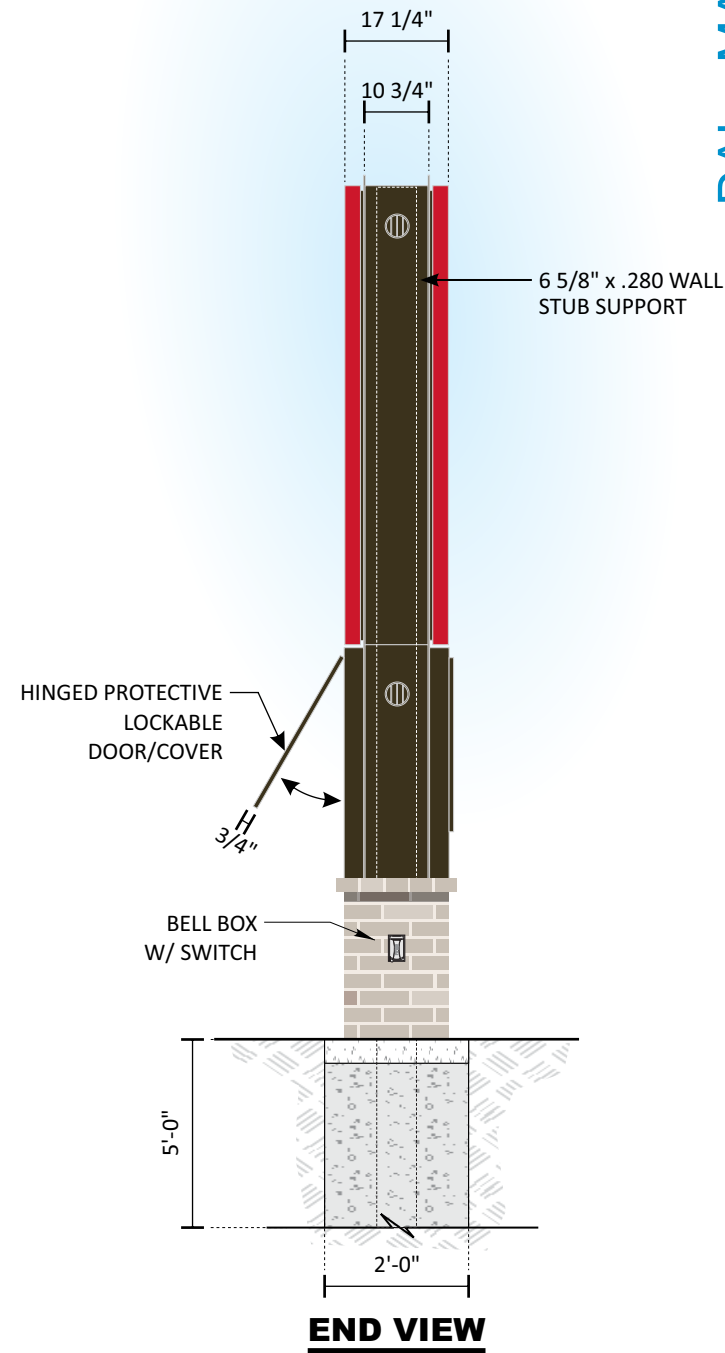
READER BOARD DISPLAY
.125" ALUM. FACE PAN PANEL WITH ROUTED OUT OPENING FOR READER BOARD AND R.O.S.T. COPY READING "CLOSED SUNDAY", WITH HINGED LOCKABLE F-TRACK VANDAL COVER PAINTED MATTHEWS #74155 DARK BRONZE, SEMI-GLOSS. CLEAR LEXAN FACE WITH HINGED VANDAL COVER FRAME. INSET 3/16" #7328 WHITE PLEX. TRACK TO ACCOMODATE THREE (3) LINES OF 6" CHICK-FIL-A COMMERCIAL WAGNER ZIP LETTER SET OF 334. INTERNALLY ILLUMINATED WITH WHITE LED'S.

FOUNDATION SYSTEM
ONE (1) 6 5/8" O.D. x .280" WALL STEEL SUPPORT
ONE (1) 24" x 5'-0" DEEP CONCRETE PIER.

CONCRETE PAD AND 1" x 1" x .125" ALUMINUM FABRICATED BASE FRAME WITH 1/2" CEMENT BOARD.

MASONRY / BRICK: BY G.C.
THE MONUMENT BRICK MATERIAL AND DESIGN SHALL MATCH THE BUILDING MATERIAL AND MORTAR FINISH.

PRIMARY ELECTRIC RUN THRU NEC APPROVED WEATHER-PROOF CONDUIT - COORDINATE PRIOR TO CONCRETE FOUNDATION / PAD POUR.



DAL - MANUFACTURING

NEW RB FONT

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Sheet5 of 30

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SCARLETT QUINTERO

DesignerLEAH LANSFORD

Date3/27/23

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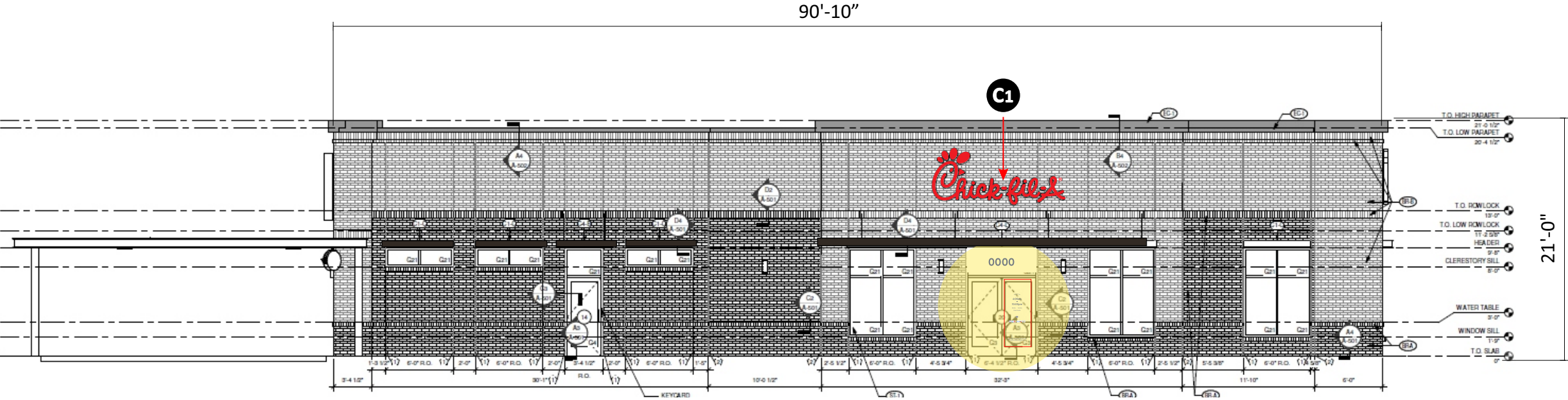
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Chick-fil-A

A

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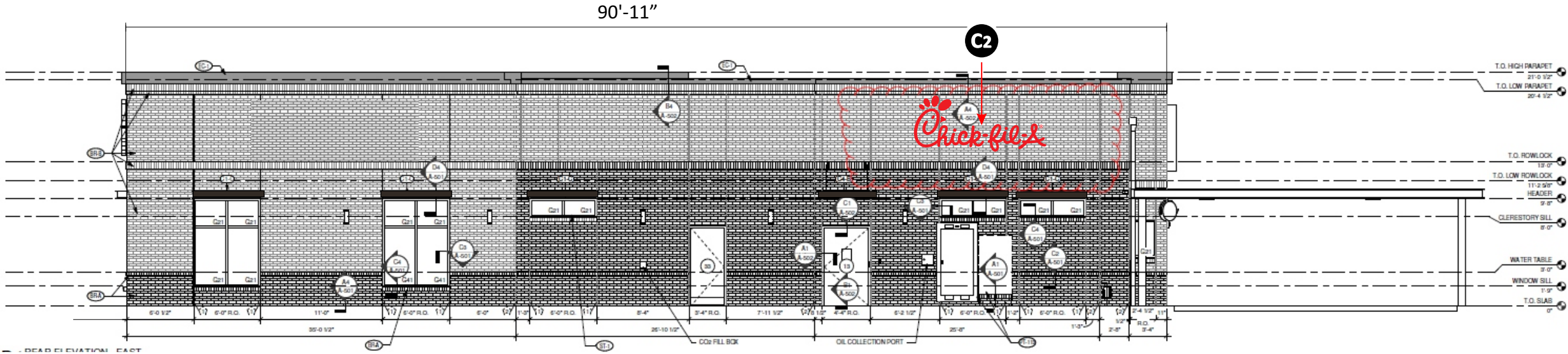


MAIN ELEVATION

SCALE: 3/32" = 1'-0"

SIGN SQ. FT.: 33

FACADE SQ. FT.: 2026.5



SIDE SERVICE ELEVATION

SCALE: 3/32" = 1'-0"

SIGN SQ. FT.: 33

FACADE SQ. FT. : 2026

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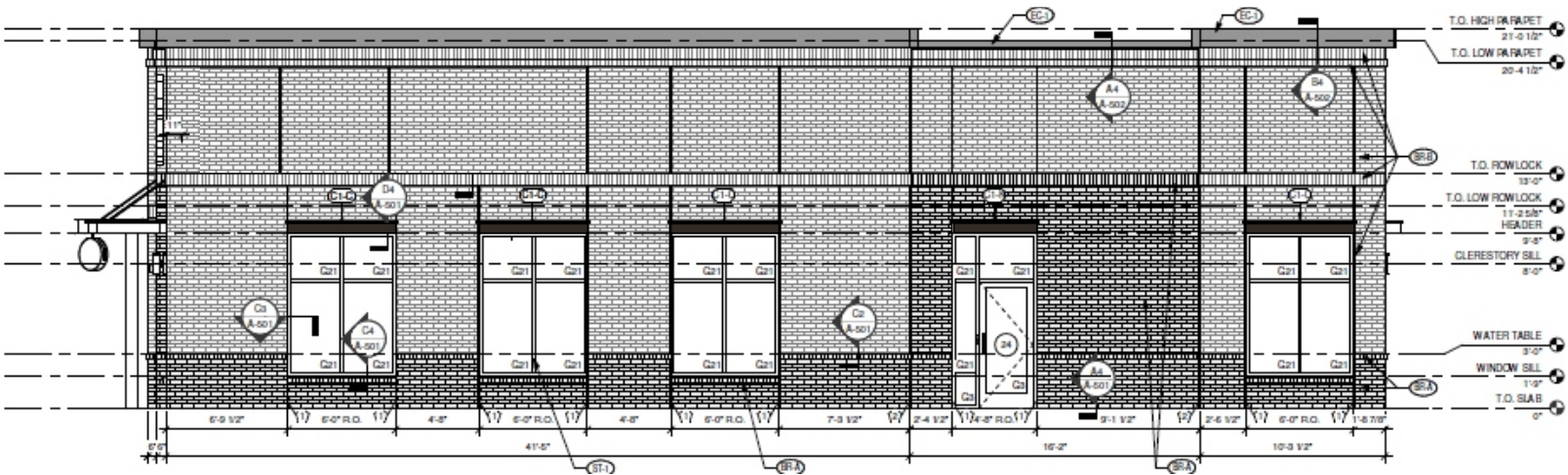
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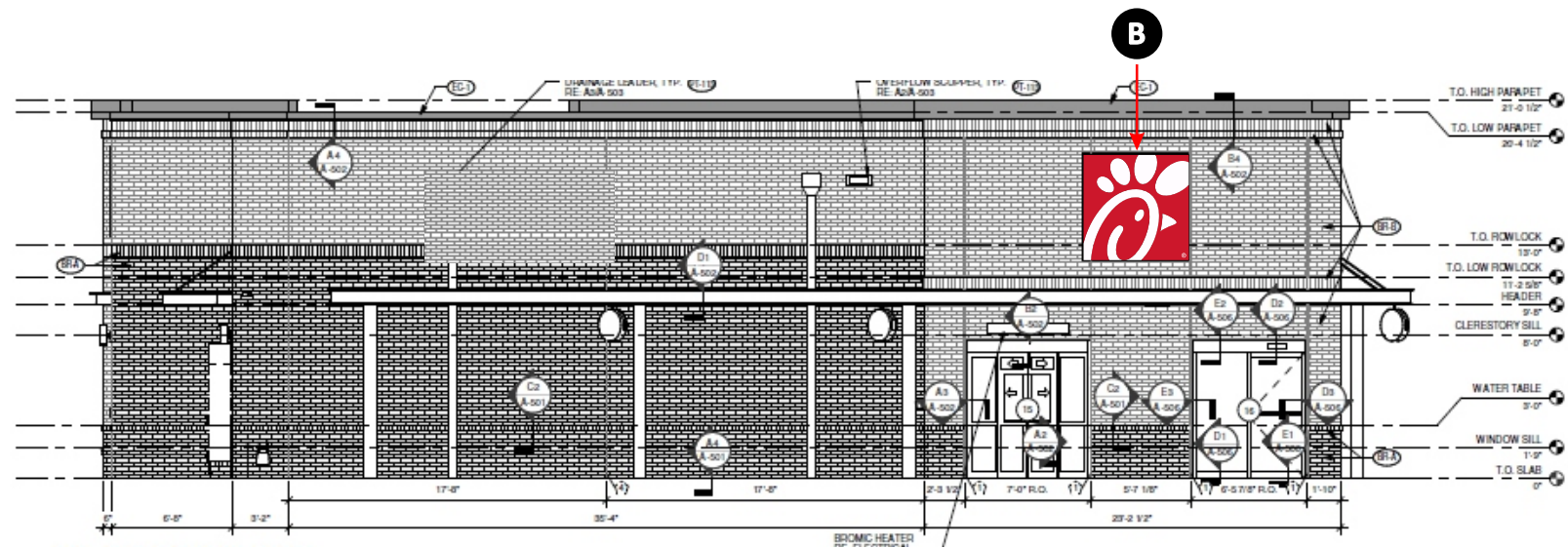


ELEVATIONS



REAR ELEVATION

SCALE: 3/32" = 1'-0"



DRIVE THRU ELEVATION

SCALE: 3/32" = 1'-0"

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ELEVATIONS



END VIEW

B

CFA - S/F WALL BLEED SIGN

SCALE: 3/4" = 1'-0"

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

35 SQ. FT.

S/F RETAINERLESS EXTRUDED ALUM. WALL CABINET. WHITE BLEED 3M PANOGRAPHIC III FLEX FACE WITH 3M #3630-53 CARDINAL RED TRANSLUCENT VINYL APPLIED 1ST SURFACE. CABINET TO BE PAINTED GENESIS M SINGLE STAGE (G2-SERIES) RED #48247. INTERNALLY ILLUMINATED WITH 7100K WHITE LEDS.

DAL - MANUFACTURING
NEW CFA LOGO

0634886AR1

Sheet8 of 30

Client

#5431

Address

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Account Rep.

KRISTEN HAMILTON
SCARLETT QUINTERO

DesignerLEAH LANSFORD

Date3/27/23

Approval / Date

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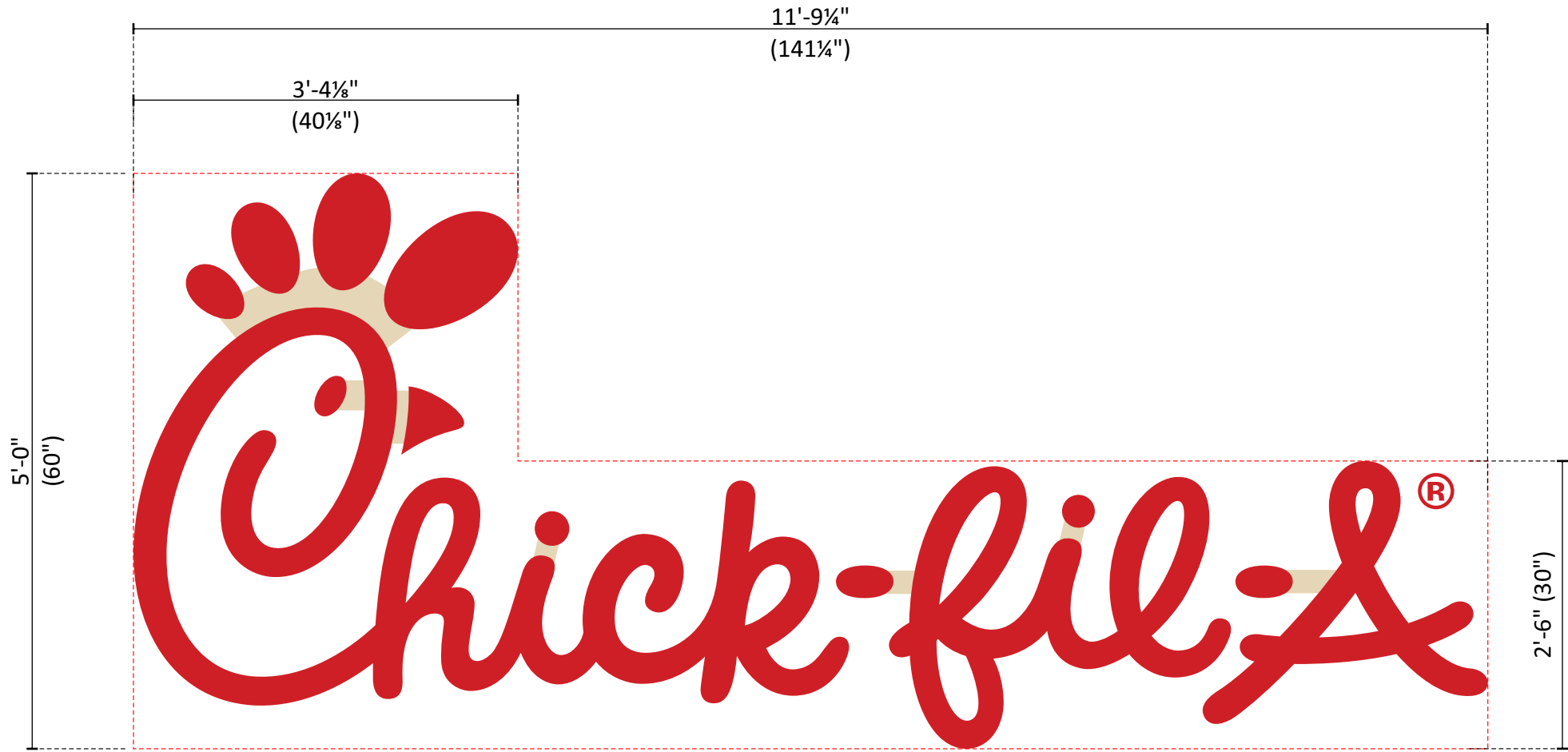
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Chick-fil-A

B

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C1-2

CFA - PCL 4-0

TWO (2) REQUIRED - MANUFACTURE AND INSTALL

SCALE: 3/4" = 1'-0"

LIVE AREA: 24 SQ. FT.

OVERALL AREA: 38 SQ. FT.

[SEE SECTION DETAIL](#)

DAL - MANUFACTURING
NEW CFA LOGO

0634886AR1

Sheet9 of 30

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DesignerLEAH LANSFORD

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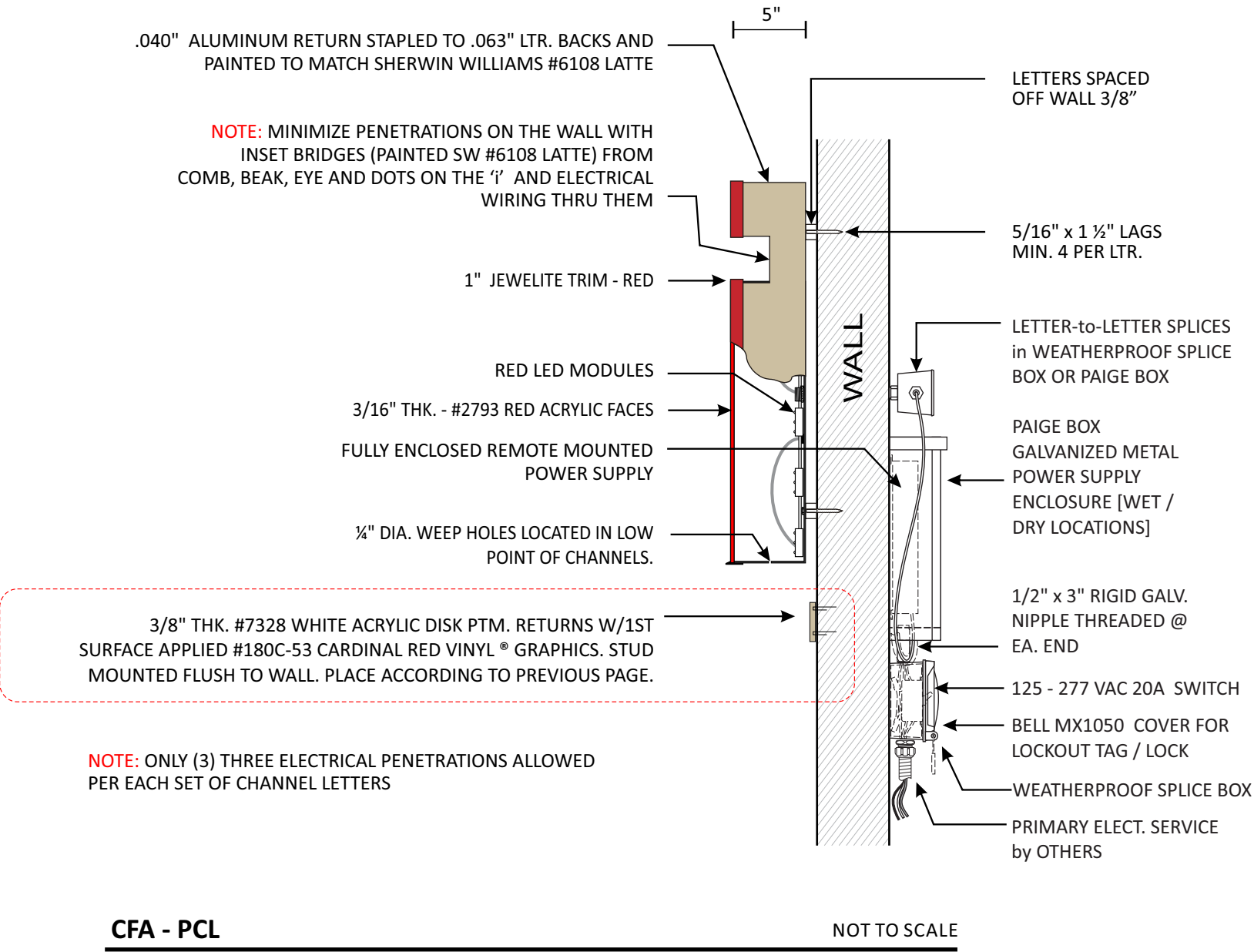
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C1-2



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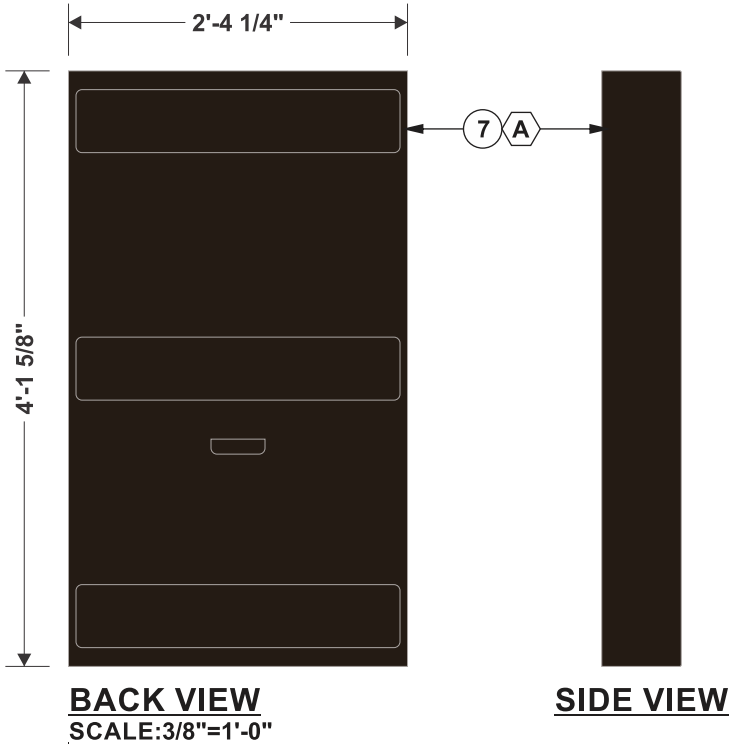
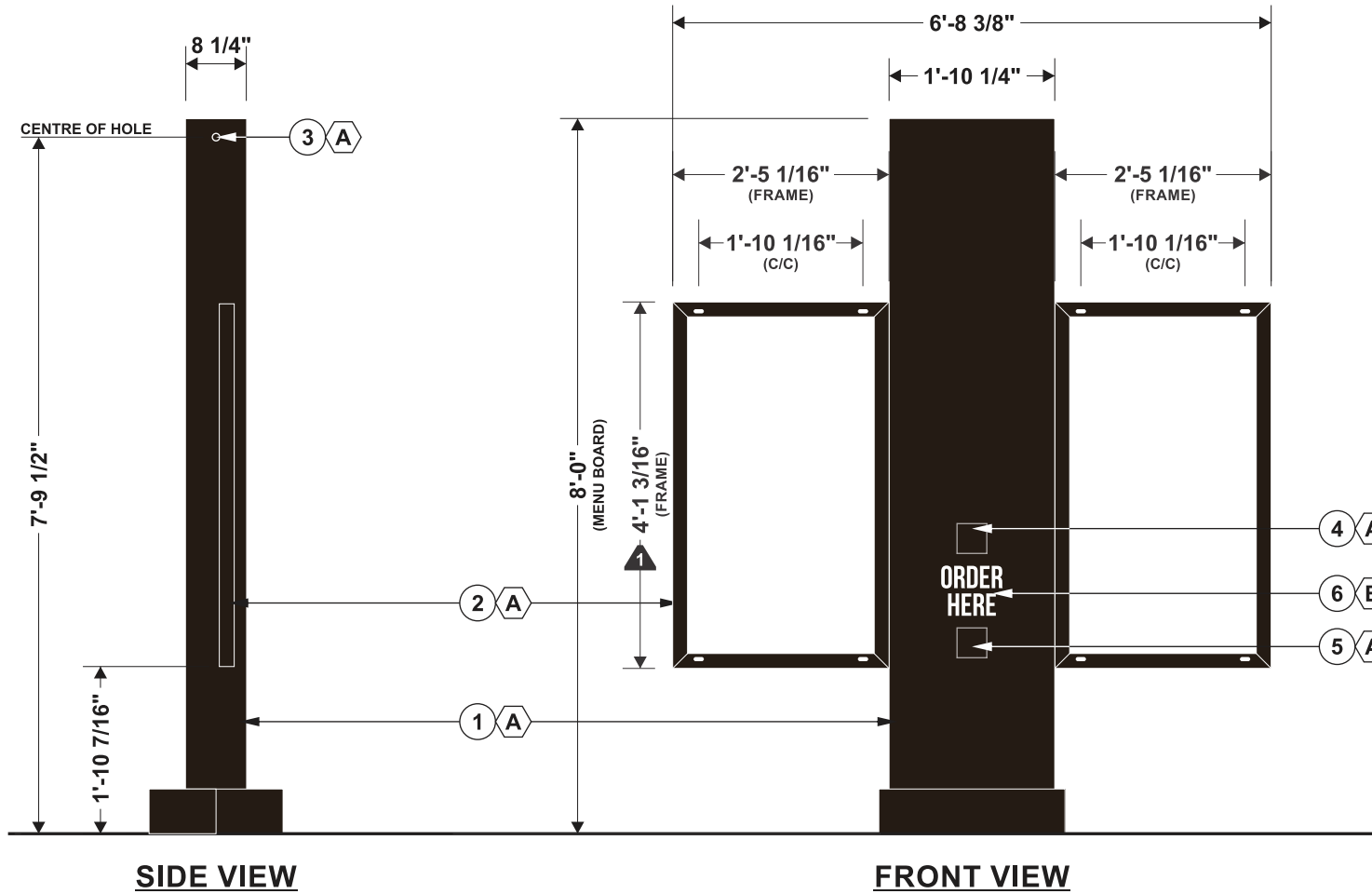
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C1-3



D1-3

CFA - C7 DIGITAL ORDERING STATION

THREE (3) REQUIRED - MANUFACTURE & INSTALL

SCALE: 1/2" = 1'-0"

CHF10ME3AX0001	
DRIVE-THRU MENU BOARD	
Installation:	☐ Interior: ☒ Exterior:
Electrical specifications:	
Volts:	120 Amp.: 1.4 Circ.: 2
#	Descriptions:
1	FABRICATED C-CHANNEL STRUCTURE COVERED WITH ALUMINUM
2	2"X 2" STEEL ANGLES FRAME BOLTED TO STRUCTURE (TO HOLD DISPLAYS)
3	PLASTIC BUSHINGS (ONE EACH SIDE)
4	SPEAKER
5	MICROPHONE
6	VINYL DECAL APPLIED TO FIRST SURFACE
7	ALUMINUM ENCLOSURE FOR DISPLAY (2X)

#	Colors:
A	PAINTED CFA BRONZE
B	WHITE REFLECTIVE VINYL #680-10

ORDERING STATIONS SUPPLIED BY CUSTOMER.
CHANDLER SIGNS TO PROVIDE TEMPLATES AND ANCHOR BOLTS.
GEN. CONTRACTOR TO SET ANCHOR BOLTS AND POUR CONCRETE.
CHANDLER SIGNS TO INSTALL ORDERING STATIONS.

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Sheet11 of 30

Client#5431

Address14801 S Memorial Dr E,
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Account Rep.KRISTEN HAMILTON
SCARLETT QUINTERO

DesignerLEAH LANSFORD

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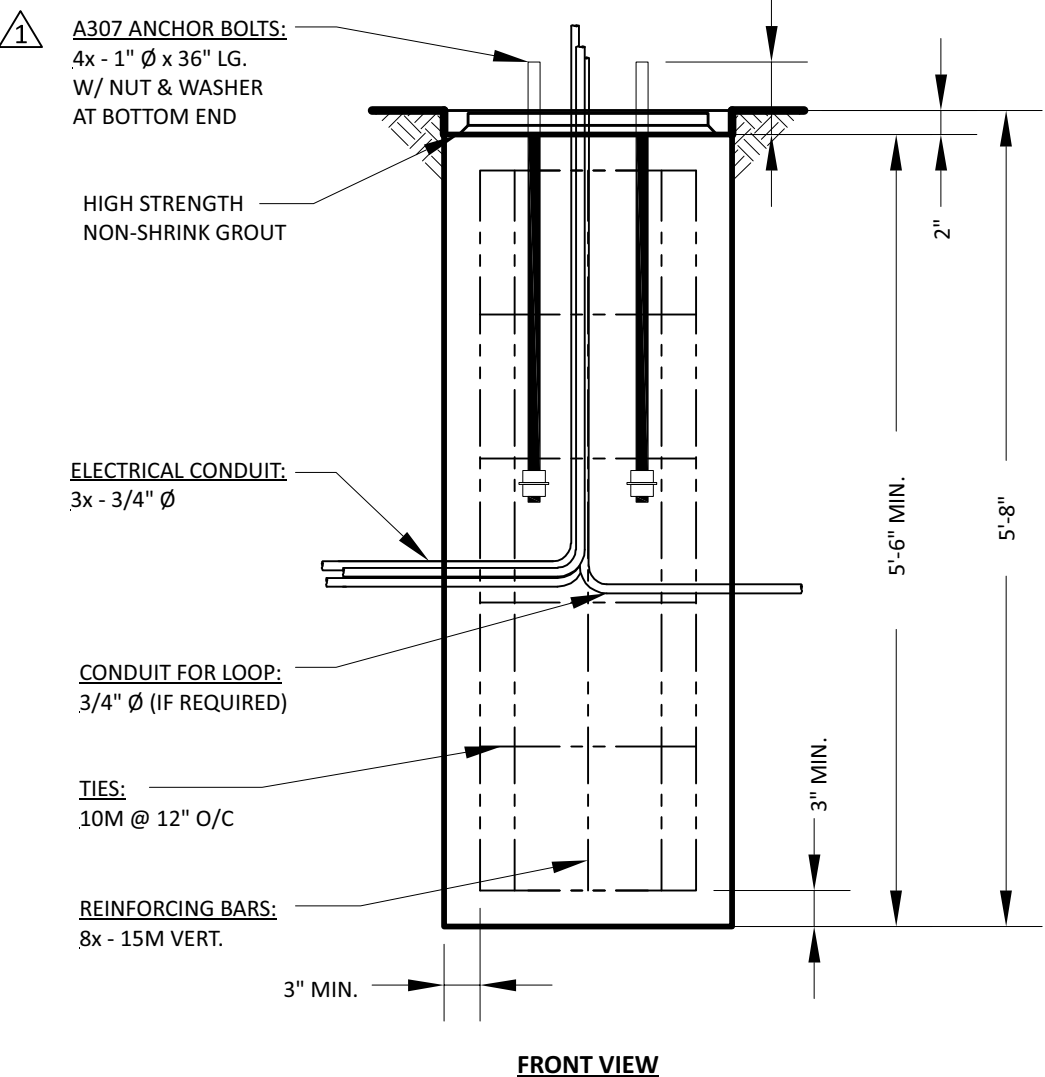
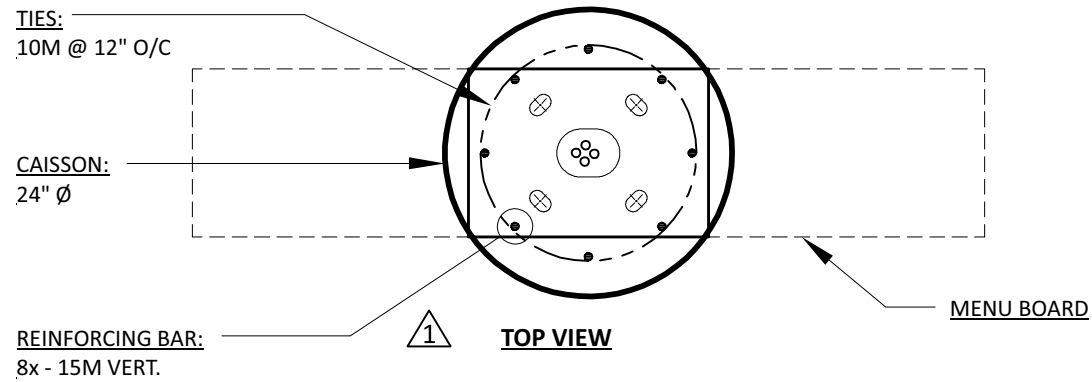
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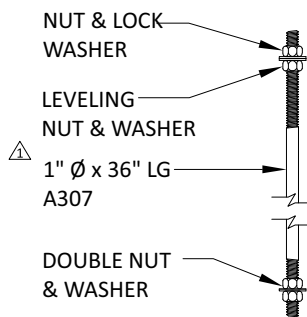
Chick-fil-A

D1, D2

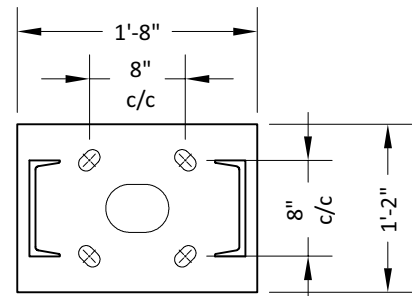
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- General Notes:
- MINIMUM CONCRETE RESISTANCE OF 3600 PSI AFTER 28 DAYS
 - THE GROUND MUST NOT BE ALTERED AND MUST BE WELL DRAINED
 - FOUNDATION IS BASE ON SAFE LATERAL SOIL BEARING PRESSURE MINIMUM OF 150 PSF PER FOOT OF DEPTH. SOIL REPORT WAS NOT FURNISHED. ALLOWABLE BEARING PRESSURE SHOULD BE VERIFIED PRIOR TO PLACEMENT OF CONCRETE. DO NOT PLACE FOUNDATION FILL.
 - ALL BACKFILLED TO BE PLACE IN COMPACTED LAYERS COMPACTED TO 95% MODIFIED PROCTOR DENSITY
 - ELECTRICAL CONDUIT TO BE AS PER CITY CODE
 - ALL VOIDS BETWEEN COLUMN BASE PLATE AND FOUNDATION SURFACE SHALL BE COMPLETELY FILLED WITH HIGH STRENGTH, NON-SHRINK GROUT

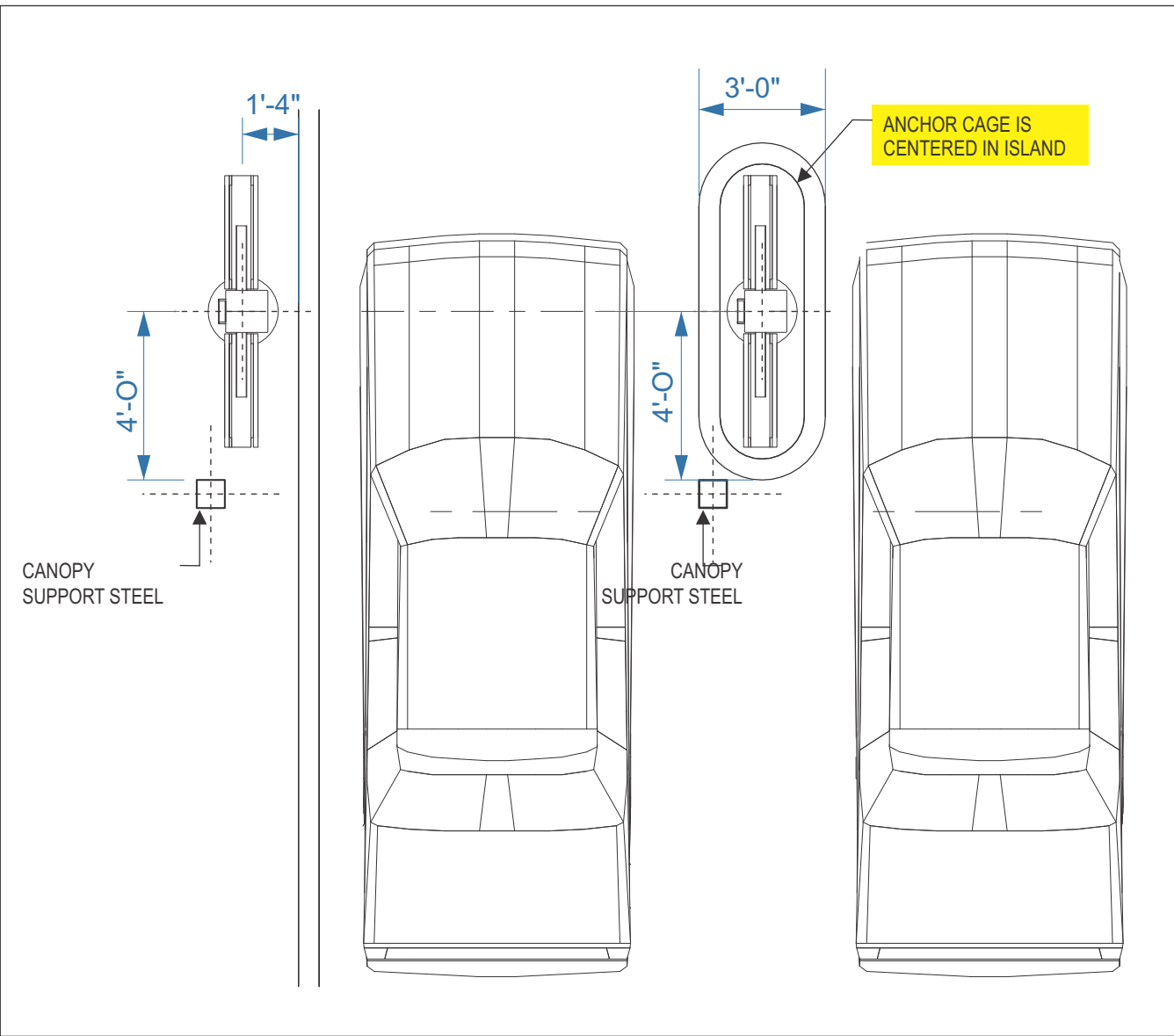


ANCHOR BOLT DETAIL
QTY: 4x



CHANDLER SIGNS TO PROVIDE TEMPLATES AND ANCHOR BOLTS.
GEN. CONTRACTOR TO INSTALL ANCHOR BOLTS AND POUR CONCRETE.
CHANDLER SIGNS TO INSTALL ORDERING STATIONS.

HH1-44086-5			
CONCRETE BASE PLAN FOR CFA ORDER POINT 6'-5"			
INSTALLATION:	- INTERIOR	X EXTERIOR	
ELECTRICAL SPECIFICATIONS:	WEIGHT: 000lbs		
VOLTS: ---	AMP: ---	CIRC: ---	
POST: BY OTHERS	HSS 6" x 6" x 0.12" Tk. A500		
PLATE: BY OTHES	14"Ø x 5/8" Tk.		
VOLUME:	0.64 CU. YD.		
q 1/50 = 0.37 kPa	Ss = 2.00 kPa	Sr = 0.40 kPa	



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Sheet 12 of 30

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SCARLETT QUINTERO

Designer LEAH LANSFORD

Date 3/27/23

Approval / Date

Client	
Sales	
Estimating	
Art	
Engineering	
Landlord	

Revision/Date

R10/30/23LL: REMOVED E2, G2, K FROM ART.
MOVED SIGN F



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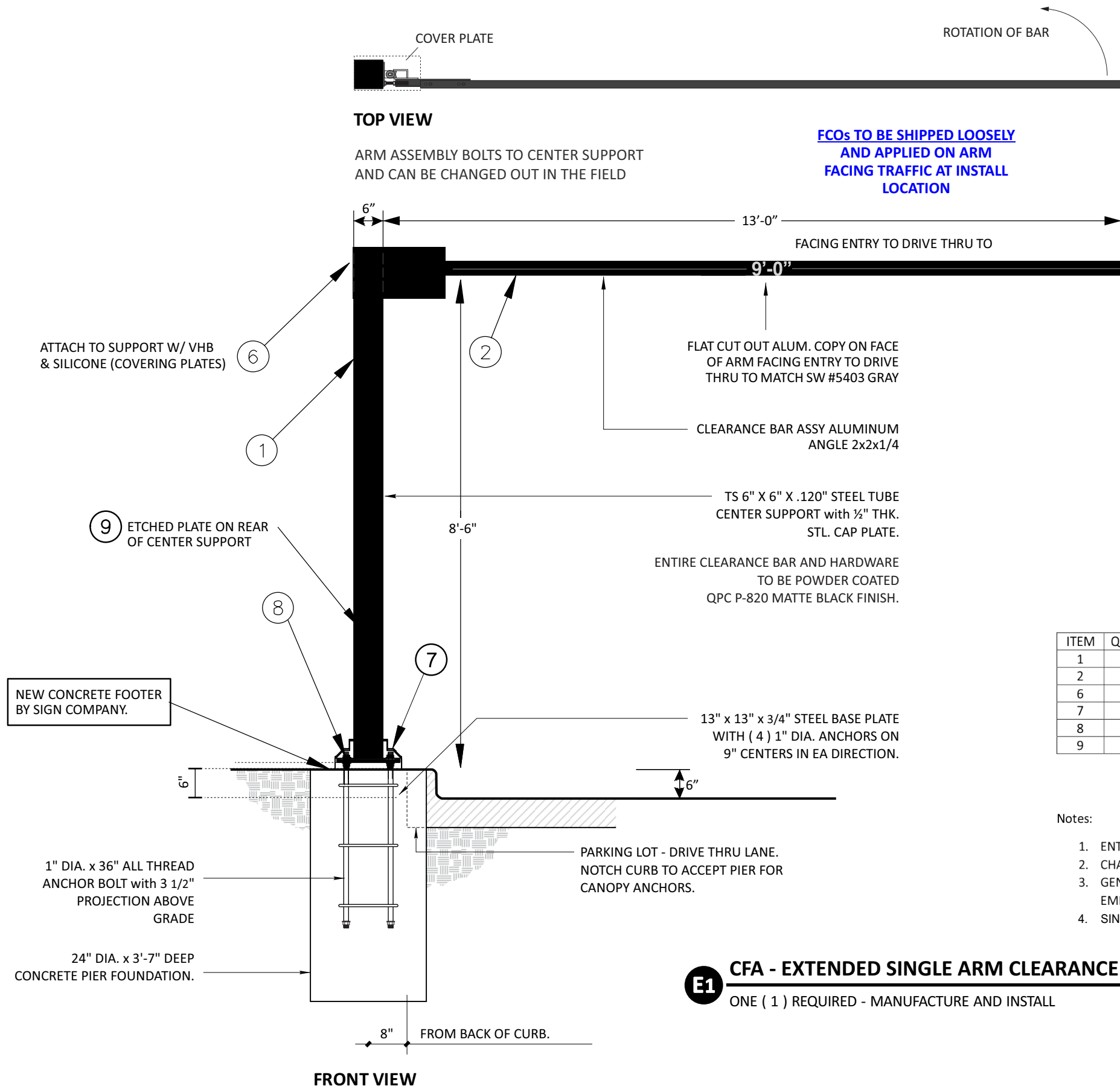
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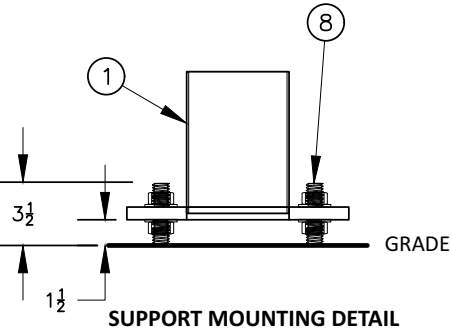
FINAL ELECTRICAL
CONNECTION BY
CUSTOMER



D1, D2



BAR PROFILE VIEW



ITEM	QUANTITY	DESCRIPTION
1	1	CENTER POST ASSEMBLY, 6" X 6" STEEL
2	1	CLEARANCE BAR ASSEMBLY, 2" X 2" ALUM ANGLE
6	1	TOP COVER, .125" ALUM, BREAK FORMED
7	1	BASE COVER, .08" ALUM, BREAK FORMED
8	4	1" X 36" LONG, ALL TREAD ANCHORS, INCLUDING NUTS AND WASHERS
9	1	CLEARANCE BAR ID PLATE

- Notes:
- ENTIRE CLEARANCE BAR AND HARDWARE TO BE POWDER-COATED P-820 MATTE BLACK FINISH
 - CHANDLER TO PROVIDE ALL-THREAD ANCHORS WITH FENDER WASHERS AND HEX BOLTS
 - GEN. CONTRACTOR TO POUR NEW CONCRETE FOOTER. FOUR ALL-THREAD ANCHORS TO BE EMBEDDED INTO FOOTER ON 9-INCH CENTERS
 - SINGLE ARM BARS ARE SIZED FOR INSTALLATION ON 6" CURB

E1 CFA - EXTENDED SINGLE ARM CLEARANCE BAR - MATTE BLACK SCALE: 1/2" = 1'-0"

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

0634886AR1

Sheet 13 of 30

Client

#5431

Address

14801 S Memorial Dr E,
Bixby, OK

Account Rep. KRISTEN HAMILTON
SCARLETT QUINTERO

Designer LEAH LANSFORD

Date 3/27/23

Approval / Date

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Art

Engineering

Landlord

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E1

Page 60 of 169

ITEM	QUANTITY	DESCRIPTION
1	1	CENTER POST ASSEMBLY, 6"X 6" STEEL
2	1	CLEARANCE BAR ASSEMBLY, 2" X 2" ALUM ANGLE
6	1	TOP COVER, .125" ALUM, BREAK FORMED
7	1	BASE COVER, .08" ALUM, BREAK FORMED
8	4	1" X 36" LONG, ALL TREAD ANCHORS, INCLUDING NUTS AND WASHERS
9	1	CLEARANCE BAR ID PLATE

Notes:

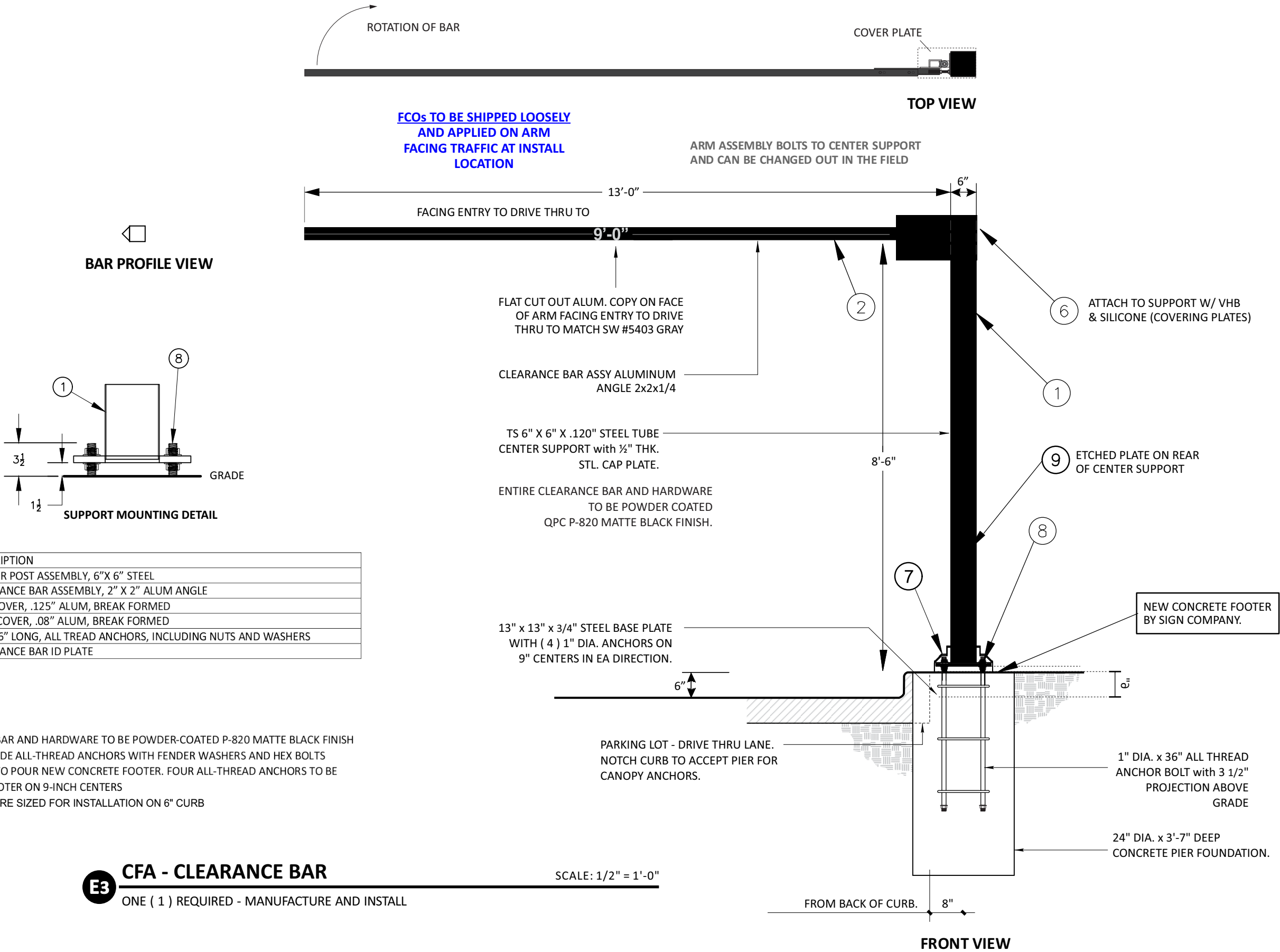
- ENTIRE CLEARANCE BAR AND HARDWARE TO BE POWDER-COATED P-820 MATTE BLACK FINISH
- CHANDLER TO PROVIDE ALL-THREAD ANCHORS WITH FENDER WASHERS AND HEX BOLTS
- GEN. CONTRACTOR TO POUR NEW CONCRETE FOOTER. FOUR ALL-THREAD ANCHORS TO BE EMBEDDED INTO FOOTER ON 9-INCH CENTERS
- SINGLE ARM BARS ARE SIZED FOR INSTALLATION ON 6" CURB

E3

CFA - CLEARANCE BAR

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

SCALE: 1/2" = 1'-0"



0634886AR1

Sheet 14 of 30

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E2

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Bixby, OK

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Designer LEAH LANSFORD

Date	3/27/23
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Approval / Date

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Estimating	
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Art	
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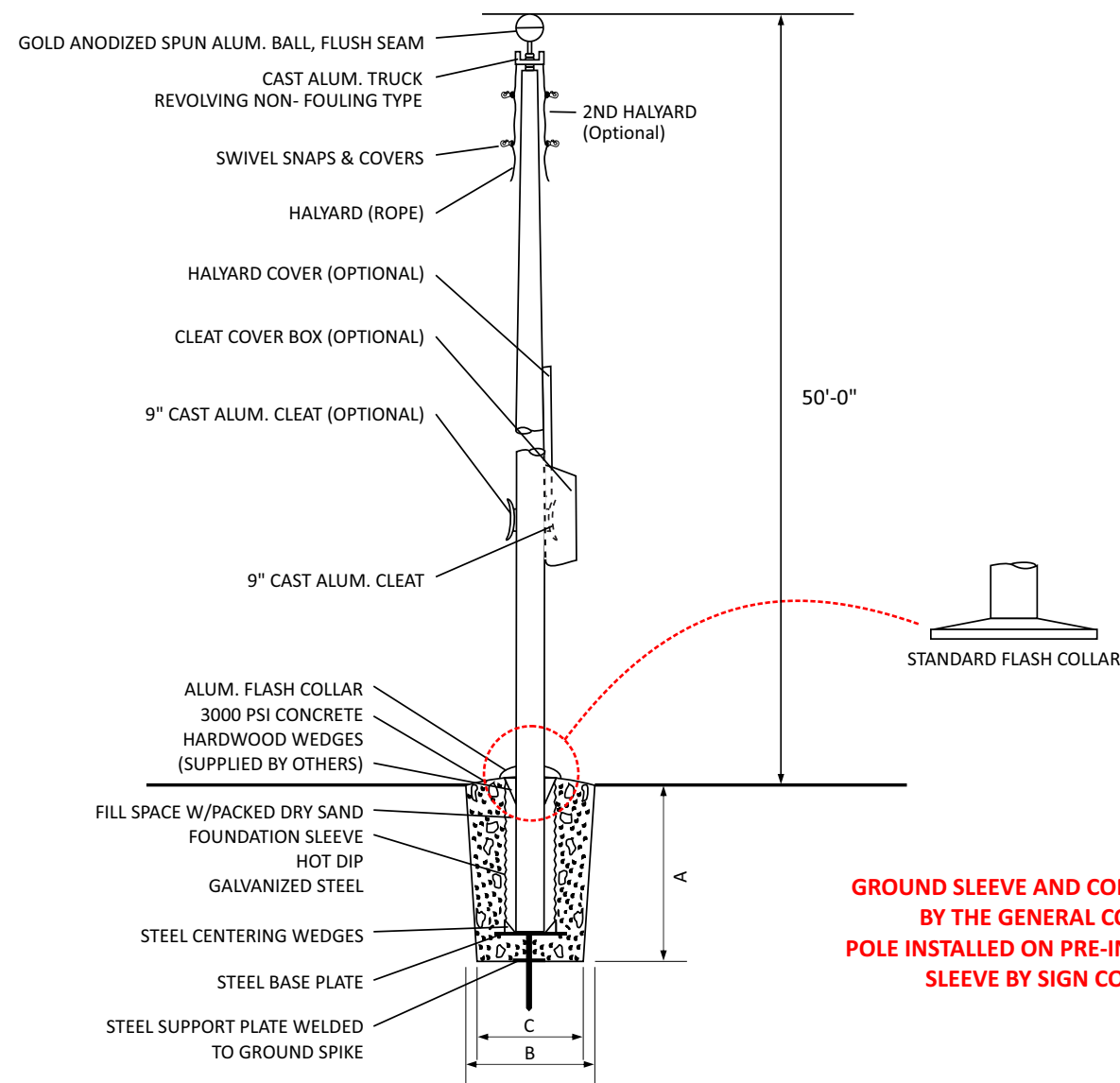
Engineering	
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Landlord	
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Revision/Date

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MOVED SIGN F

MOVED SIGN F



FLAG PROVIDED BY CSI

FOUNDATION SIZES

HEIGHT	A	B	C	FLAG SIZE
20'	3'-6"	30"	24"	6'-10'
25'	3'-6"	30"	24"	6'-10'
30'	3'-6"	30"	24"	6'-10'
35'	4'-0"	36"	30"	6'-10'
40'	4'-6"	42"	36"	12'-18'
45'	5'-0"	48"	42"	12'-18'
50'	5'-6"	48"	42"	12'-18'

**GROUND SLEEVE AND CONCRETE INSTALLED
BY THE GENERAL CONTRACTOR
POLE INSTALLED ON PRE-INSTALLED GROUND
SLEEVE BY SIGN CONTRACTOR**

F

CFA - FLAG 50

ONE (1) REQUIRED - PROVIDE AND INSTALL

N.T.S.



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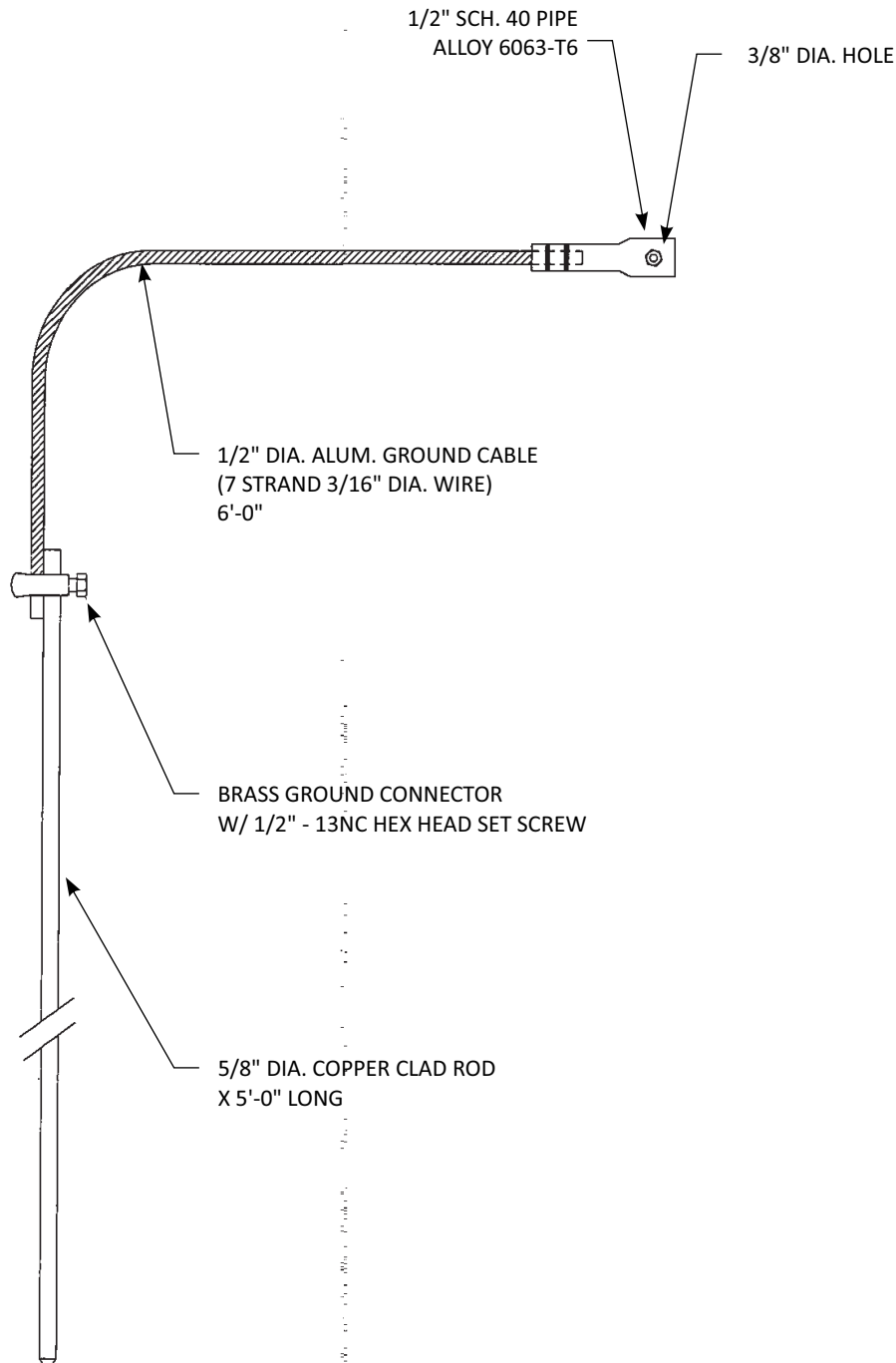
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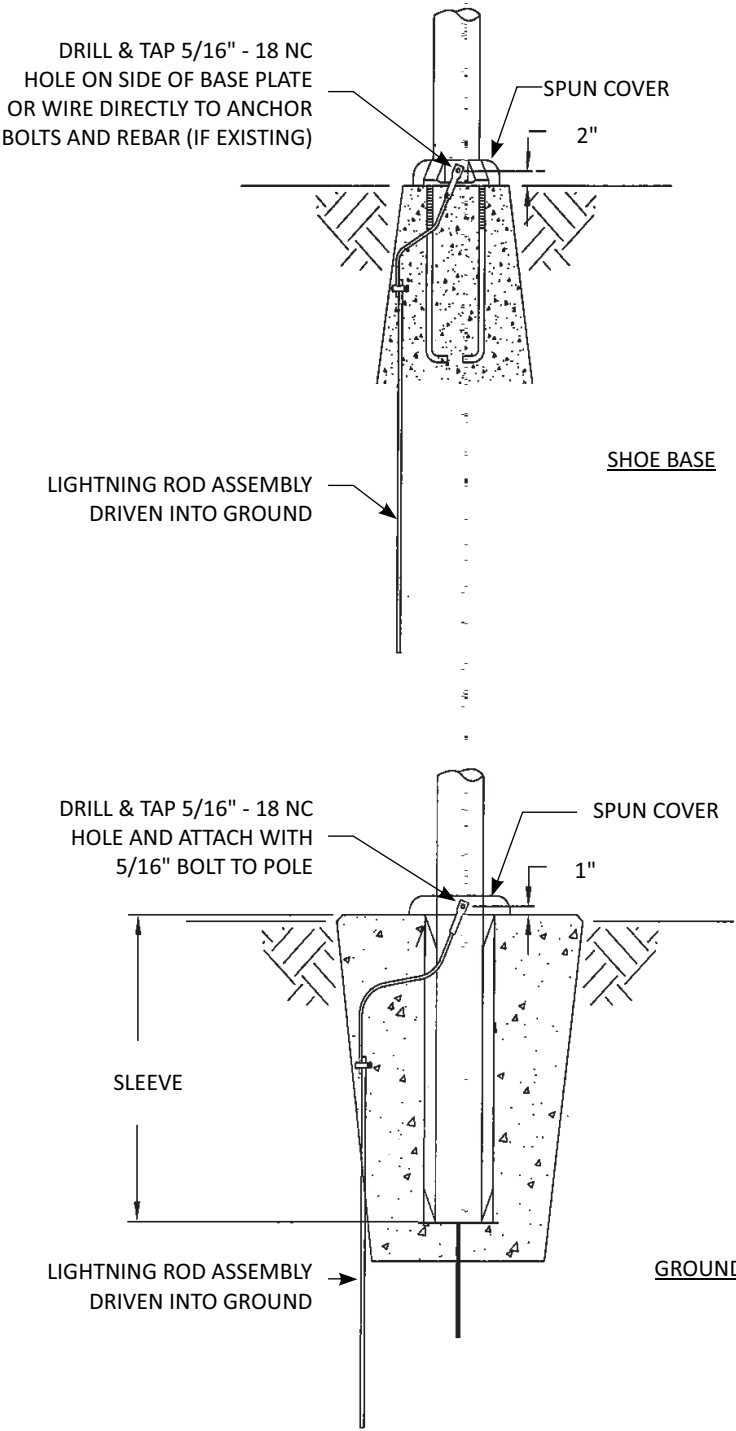
F



FLAG LIGHTENING KIT

N.T.S.

ONE (1) REQUIRED - PROVIDE AND INSTALL



0634886AR1

Sheet16 of 30

Client#5431

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DesignerLEAH LANSFORD

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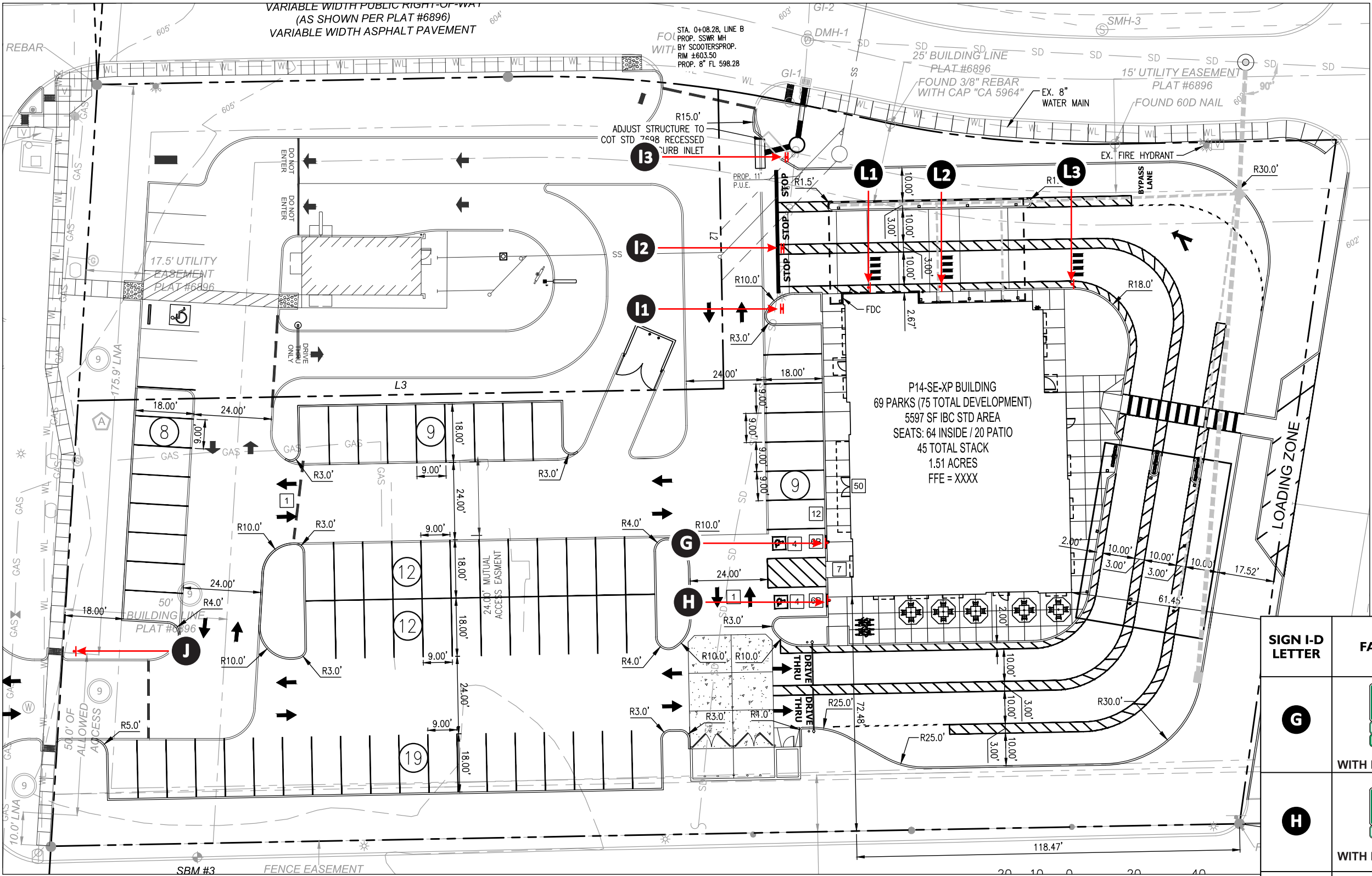
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SIGN WILL BEAR UL LABEL(S).

Chick-fil-A

F

Page 63 of 169



SITE PLAN 2

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

PORTABLE BASES		
SIGN I-D LETTER	FACE A	FACE B
L1-3		N/A

SIGN I-D LETTER	FACE A	FACE B
G	 WITH BOLLARD	N/A
H	 WITH BOLLARD	N/A
I1-3		
J		N/A

0634886AR1

Sheet 17 of 30

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#5431

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SCARLETT QUINTERO

Designer LEAH LANSFORD

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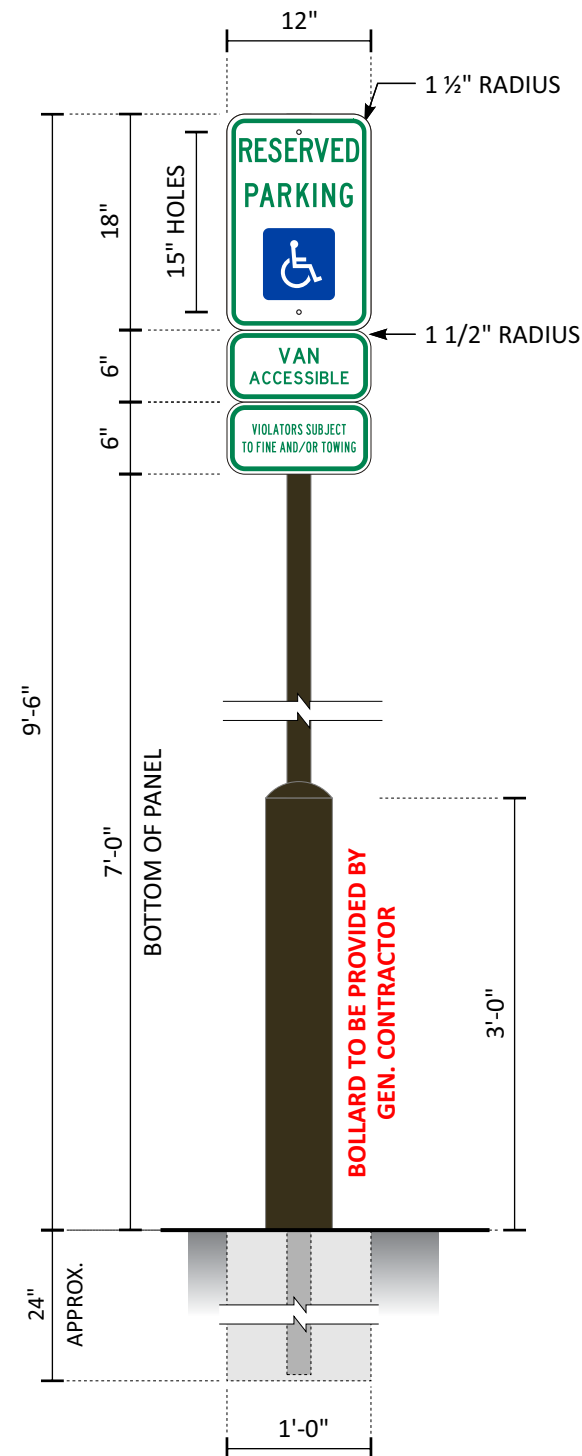
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SITE PLAN 2



BOLLARD MOUNTED HANDICAP SIGNS

SPECIFICATIONS

SIGN PANELS

.080 ALUMINUM WITH BACKS PAINTED MATTHEWS
#20181 DARK BRONZE, SATIN AND REFLECTIVE VINYL
GRAPHICS APPLIED 1ST SURFACE.

**SIGN PANELS ARE TO BE SECURED TO SIGN POST WITH
NUTS AND BOLTS PAINTED TO MATCH VINYL BACKGROUND**

SIGN POST

2" x 2" ALUMINUM SQ. TUBE, CAPPED ON TOP WITH
PUSH IN PLASTIC CAP PAINTED MATTHEWS #20181
DARK BRONZE, SATIN.
CAP IS A BUYOUT FROM MCMASTER CARR #9565K31
INVENTORY #02948

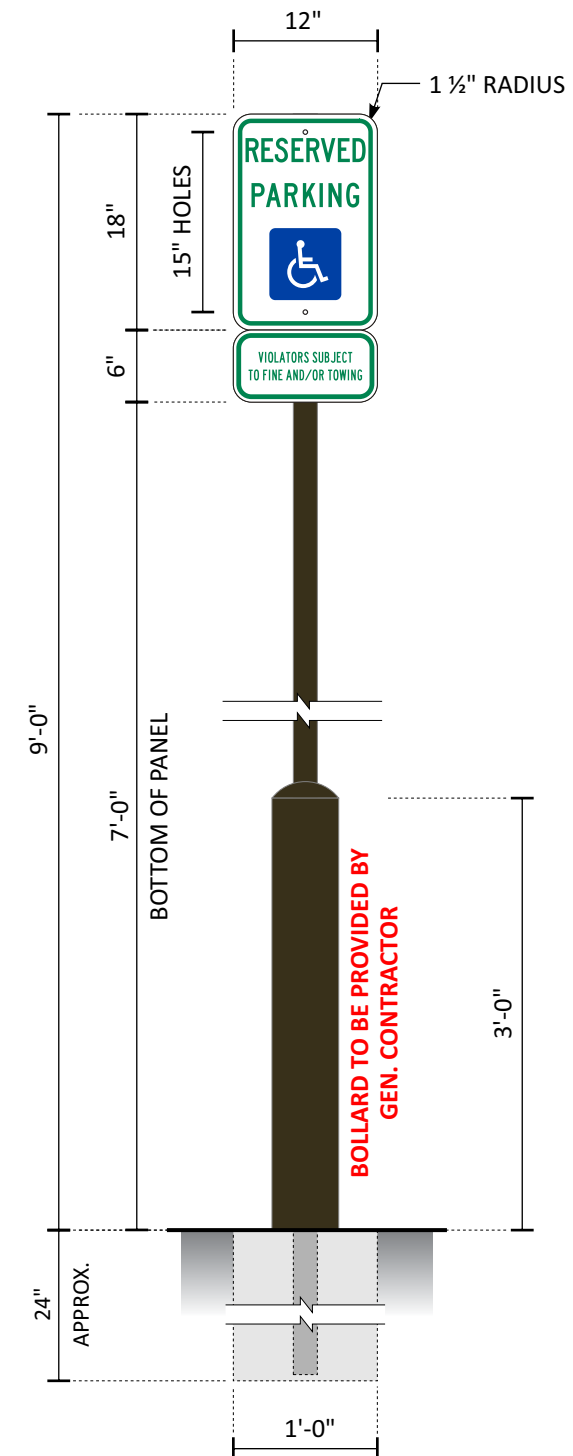
BOLLARD - TO BE PROVIDED BY GEN.CONTRACTOR
5 9/16" O.D. x .280 WALL THICKNESS STEEL PIPE.

BOLLARD AND CONCRETE TOP TO BE PAINTED
MATTHEWS #74155 DARK BRONZE, SEMI-GLOSS.
INSTALLER TO PROVIDE PAINT.

DAL - MANUFACTURING
MUTCD PANEL - UPPERCASE

SCALE: 3/4" = 1'-0"

2 SQ. FT.



CFA - S/F HC SIGN

SCALE: 3/4" = 1'-0"

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

1.5 SQ. FT.

VIS22 - NEW COLOR SPECIFICATION

0634886AR1	
Sheet	18 of 30
Client	
#5431	
Address	
14801 S Memorial Dr E, Bixby, OK	
Account Rep.	KRISTEN HAMILTON SCARLETT QUINTERO
Designer	LEAH FUSFORD
Date	3/27/23
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Landlord	
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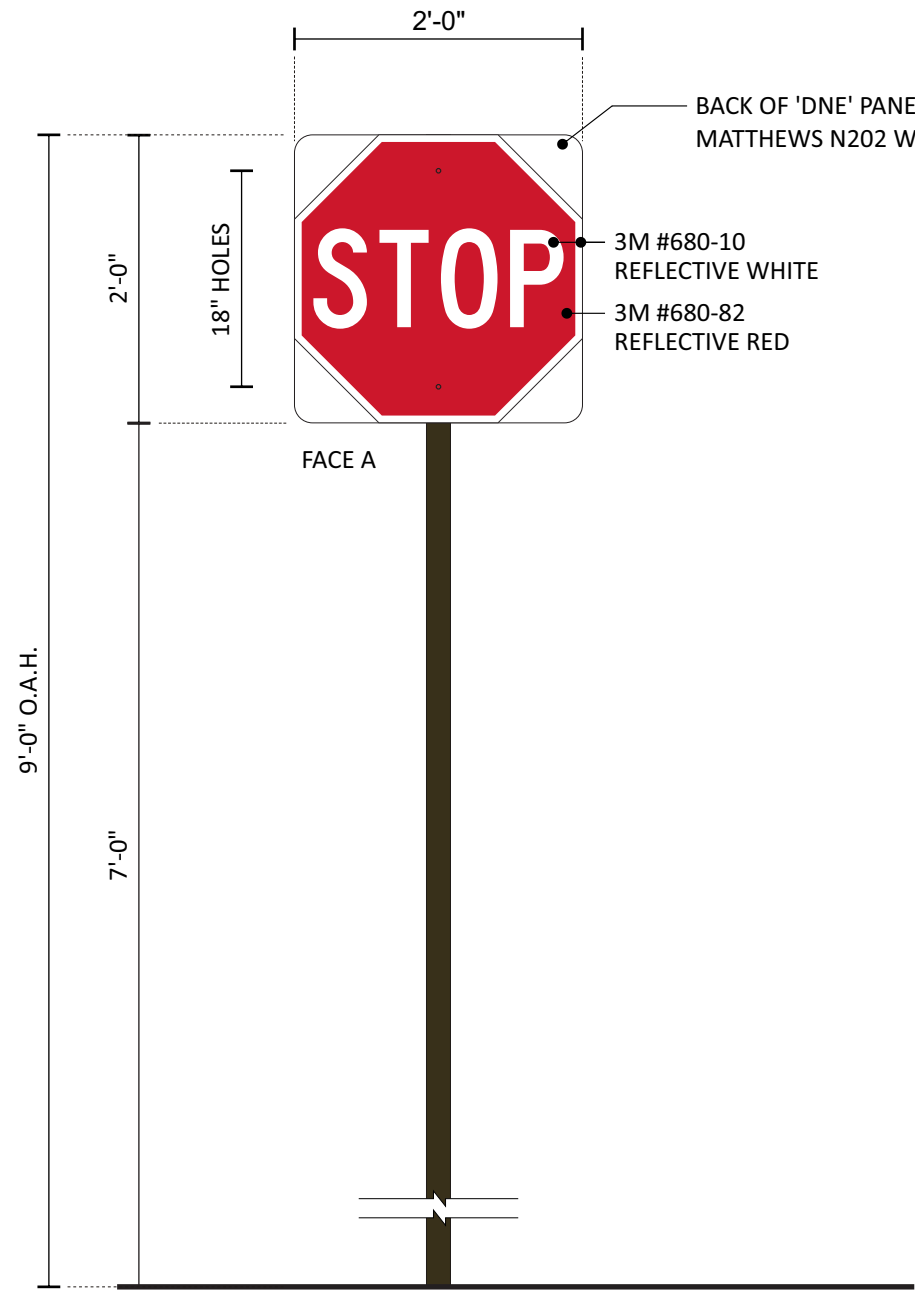
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G, H



SPECIFICATIONS

SIGN PANELS
.080 ALUMINUM PANELS WITH BACKS PAINTED MATTHEWS N202 WHITE, SATIN AND REFLECTIVE VINYL GRAPHICS APPLIED 1ST SURFACE.

SIGN PANEL IS TO BE SECURED TO SIGN POST WITH NUTS AND BOLTS PAINTED TO MATCH VINYL BACKGROUND

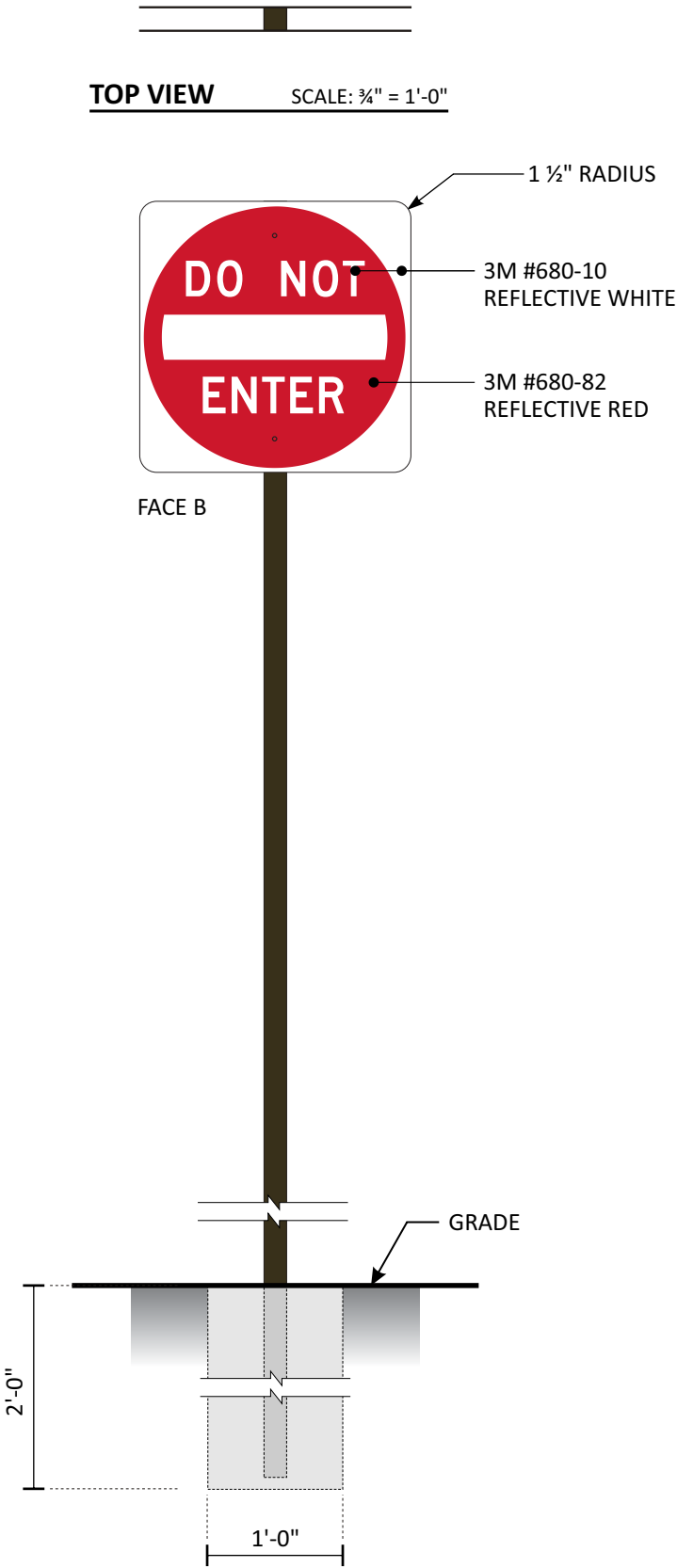
SIGN POST
2" x 2" ALUMINUM SQ. TUBE, CAPPED ON TOP WITH PUSH IN PLASTIC CAP.
PAINTED MATTHEWS #20181 DARK BRONZE, SATIN.
CAP IS A BUYOUT FROM MCMASTER CARR #9565K31 INVENTORY #02948

NOTE:
IF SIGN IS LOCATED ON SIDEWALK, THEN IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO INSTALL A PVC SLEEVE INTO THE CONCRETE WHEN THE SIDEWALK IS POURED PRIOR TO INSTALLATION OF THE SIGN.

DAL - MANUFACTURING
MUTCD PANEL - UPPERCASE

I1-3 D/F STOP/DNE POST AND PANEL
THREE (3) REQUIRED - MANUFACTURE AND INSTALL

SCALE: 3/4" = 1'-0"
4 SQ. FT.



DFW MANUFACTURING / VIS22 - NEW COLOR SPECIFICATION

0634886AR1

Sheet19 of 30

Client

#5431

Address

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Bixby, OK

Account Rep.

KRISTEN HAMILTON
SCARLETT QUINTERO

Designer

LEAH LANSFORD

Date

3/27/23

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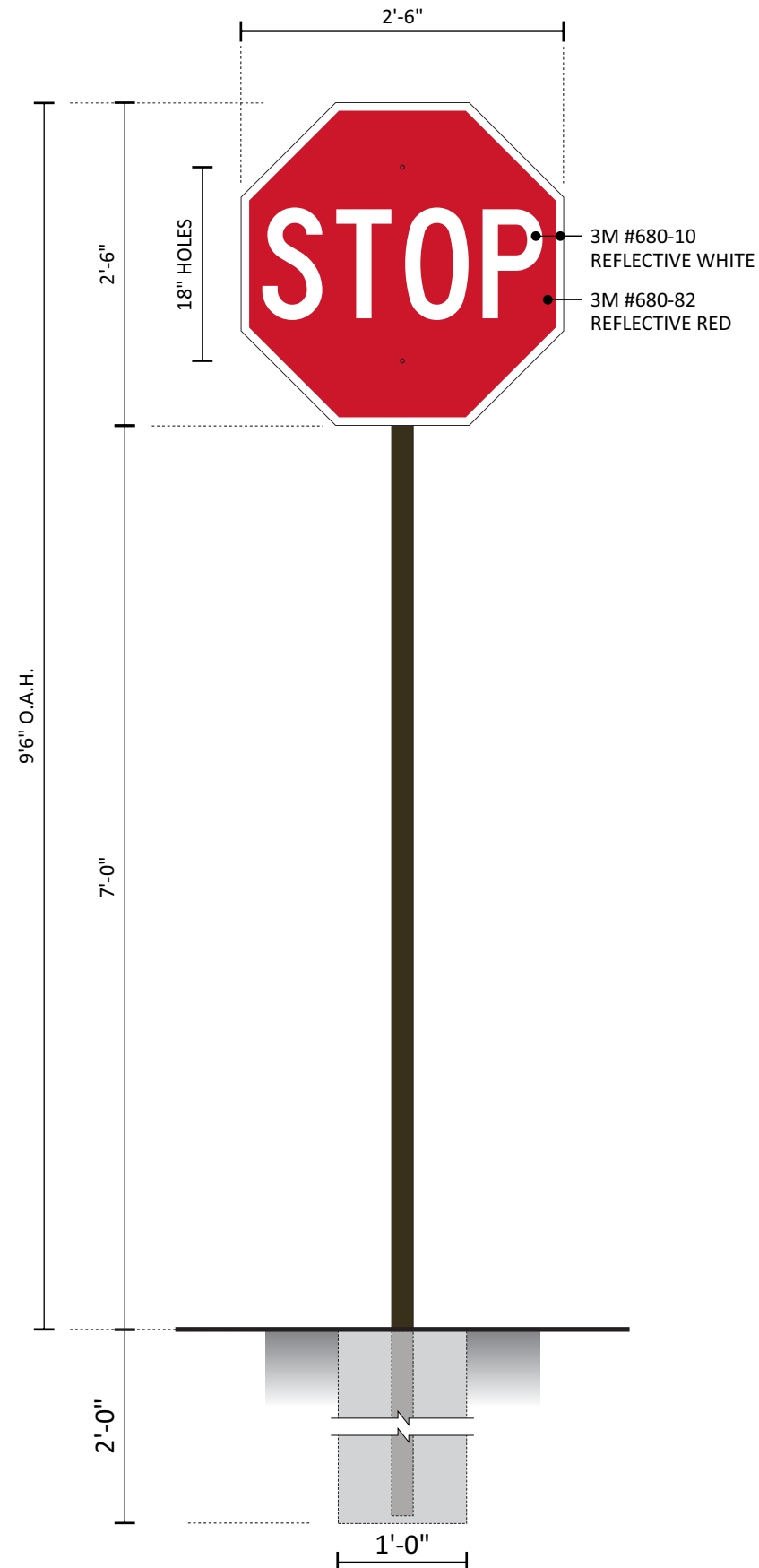
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SIGN WILL BEAR UL LABEL(S).

Chick-fil-A

I1-3



CFA - DOT S/F STOP SIGN

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

SCALE: 3/4" = 1'-0"

5 SQ. FT.

SPECIFICATIONS

SIGN PANELS

.080 ALUMINUM PANELS WITH BACKS PAINTED MATTHEWS
#20181 DK. BRONZE, SATIN AND REFLECTIVE VINYL
 GRAPHICS APPLIED 1ST SURFACE.

**SIGN PANEL IS TO BE SECURED TO SIGN POST WITH
NUTS AND BOLTS PAINTED TO MATCH VINYL BACKGROUND**

SIGN POST

2" x 2" ALUMINUM SQ. TUBE, CAPPED ON TOP WITH
PUSH IN PLASTIC CAP PAINTED MATTHEWS #20181
DARK BRONZE, SATIN.
CAP IS A BUYOUT FROM MCMaster CARR #9565K31
INVENTORY #02948

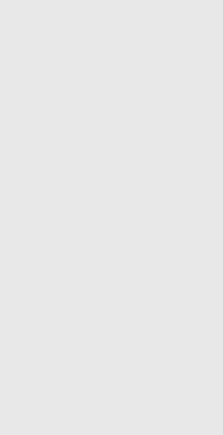
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DAL - MANUFACTURING
MUTCD PANEL - UPPERCASE

DFW MANUFACTURING / VIS22 - NEW COLOR SPECIFICATION

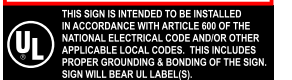
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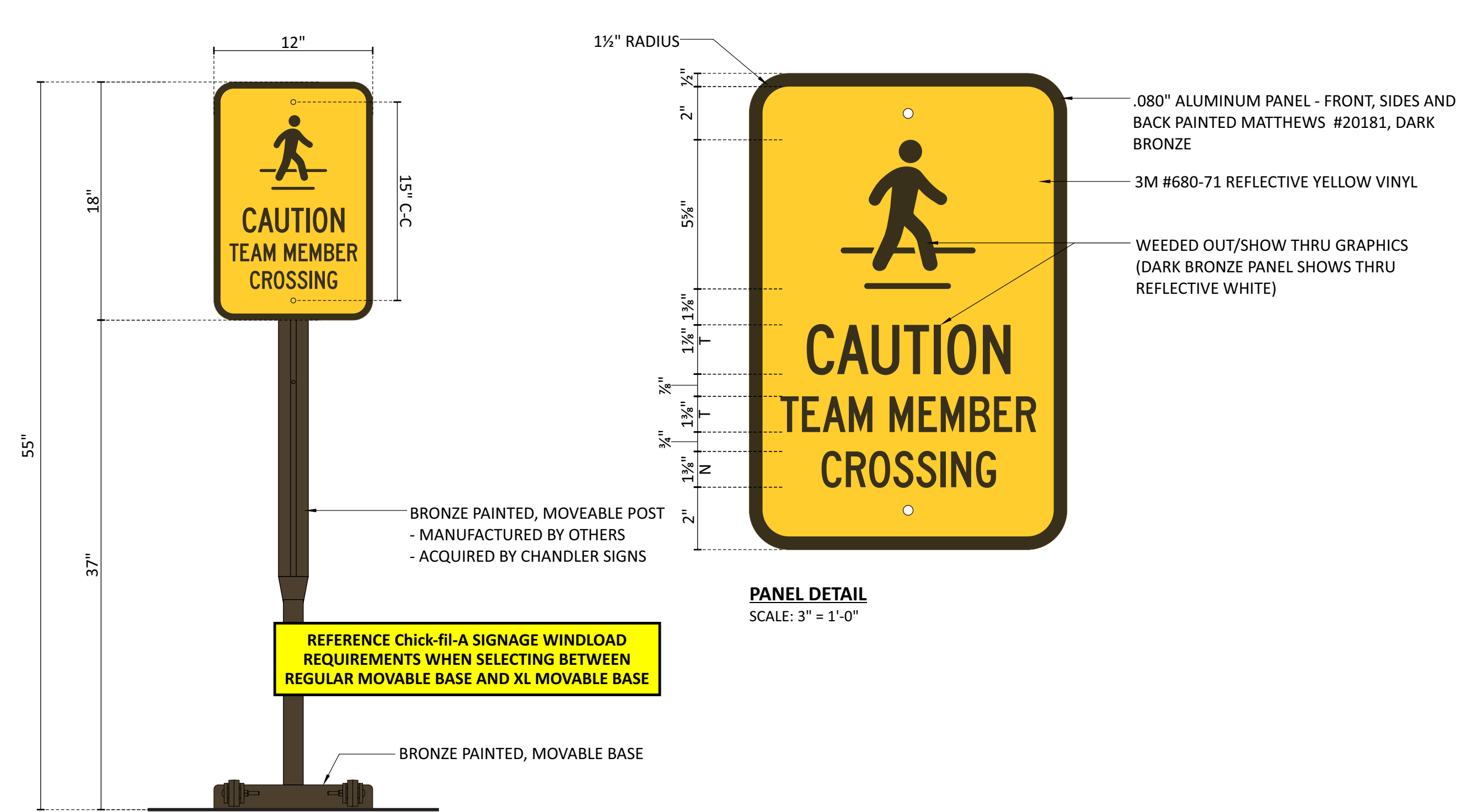
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J1-3



L1-3 SAFETY SIGN - TEAM MEMBER CROSSING SCALE: 1-1/2" = 1'-0"
THREE [3] REQUIRED - MANUFACTURE & INSTALL

DFW MANUFACTURING / NEW VIS 2022 MUTCD PANEL

0634886AR1

Sheet21 of 30

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LEAH LANSFORD

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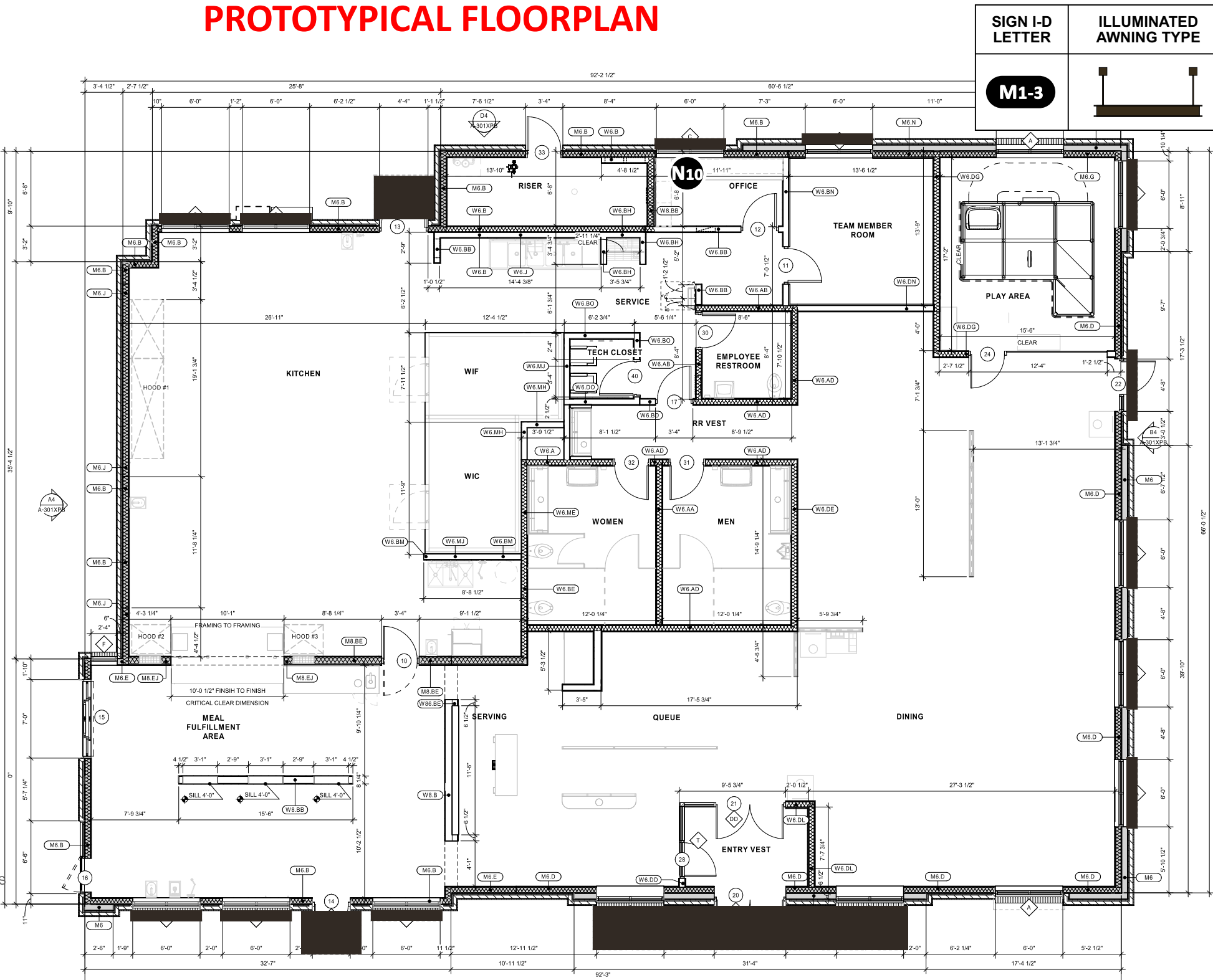
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CUSTOMER

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SIGN WILL BEAR UL LABEL(S).

L1-3

Page 68 of 169

PROTOTYPICAL FLOORPLAN



SIGN I-D LETTER	ILLUMINATED AWNING TYPE	SIGN I-D LETTER	NON-ILLUMINATED AWNING TYPE	SIGN I-D LETTER	ILLUMINATED AWNING TYPE
M1-3		N1-13		O	

FLOOR PLAN - P14 SE MED

SCALE: 3/32" = 1'-0"

NOTE:
FOR LOCATION OF BUILDING SIGNS AND DRIVE-THRU ITEMS; REFER TO SITE PLAN 1 ON PAGE 3.
FOR LOCATIONS OF TRAFFIC D.O.T. SIGNS REFER TO SITE PLAN 2 ON PAGE 4 AND PAGE 18.

ATTACHED CANOPY SCHEDULE						
Mark	Description	Count	Overall Width	Overall Depth	Tie Back Mounting (Offset From Top)	Integral Lighting
C1-C	Exterior Canopy	13	6'-4"	1'-0"	0"	No
C1-K	Exterior Canopy	1	5'-0"	1'-0"	0"	Yes
C4-B	Exterior Canopy	2	5'-4"	4'-0"	2'-4"	Yes
C4-L	Exterior Canopy	1	28'-0"	4'-0"	2'-4"	Yes
Grand total		17				

0634886AR1	
Sheet	22 of 30
Client	
#5431	
Address	
14801 S Memorial Dr E, Bixby, OK	
Account Rep.	KRISTEN HAMILTON SCARLETT QUINTERO
Designer	LEAH LANSFORD
Date	3/27/23
Approval / Date	
Client	
Sales	
Estimating	
Art	
Engineering	
Landlord	
Revision/Date	
R1030023LL: REMOVED E2, G2, K FROM ART. MOVED SIGN F	



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Northeast US	2301 River Road Ste 201 Louisville, KY 40206 (502) 897-9800 Cell (502) 554-2575
Georgia	111 Woodstone Place Dawsonville, GA 30534 (678) 725-8852 Fax (210) 349-8724
South Texas	PO BOX 125 206 Doral Drive Portland, TX 78374 (361) 563-5599 Fax (361) 643-6533

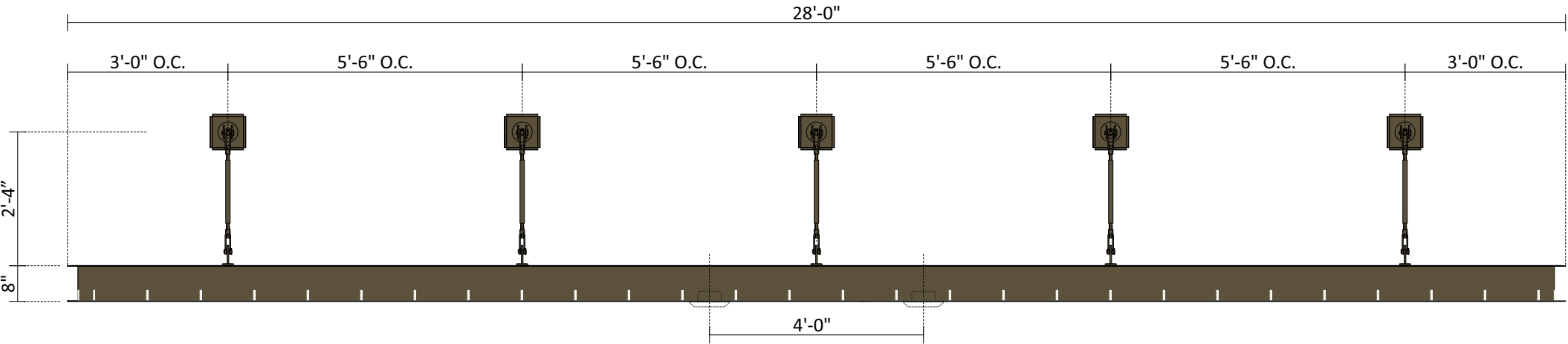
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SITE PLAN 3

PROTOTYPICAL FLOORPLAN



M1

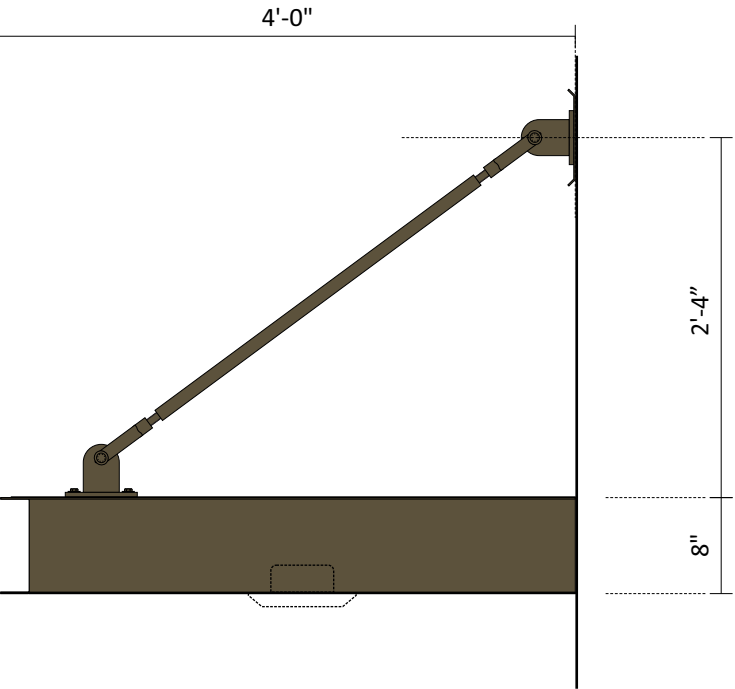
C-CHANNEL AWNING WITH DOWN LIGHTING

SCALE: 3/8" = 1'- 0"

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

AWNINGS TO BE PAINTED KYNAR 500 PVDF
T6039 DARK BRONZE

NOTE:
BLOCKING FOR AWNING BY G.C.



END VIEW

SCALE: 3/4" = 1'- 0"

0634886AR1

Sheet 23 of 30

Client

#5431

Address

14801 S Memorial Dr E,
Bixby, OK

Account Rep. KRISTEN HAMILTON
SCARLETT QUINTERO

Designer LEAH LANSFORD

Date 3/27/23

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Client	
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Art	
Engineering	
Landlord	

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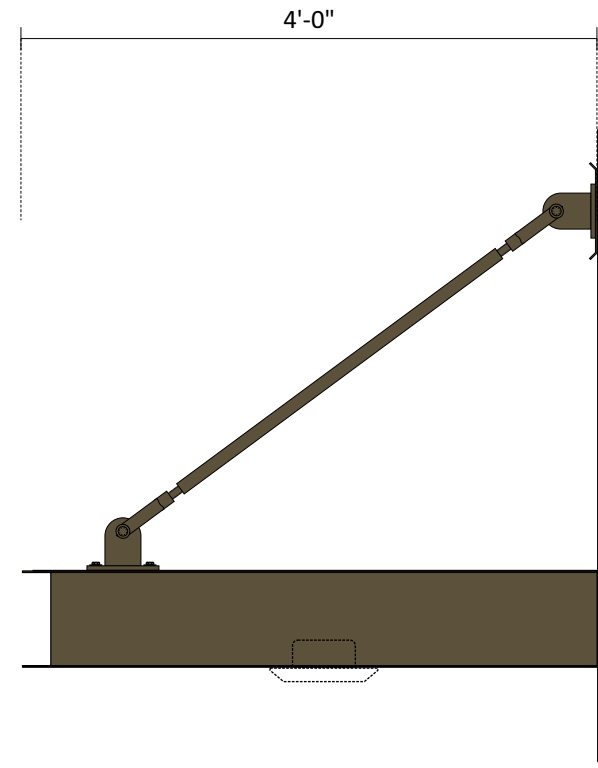
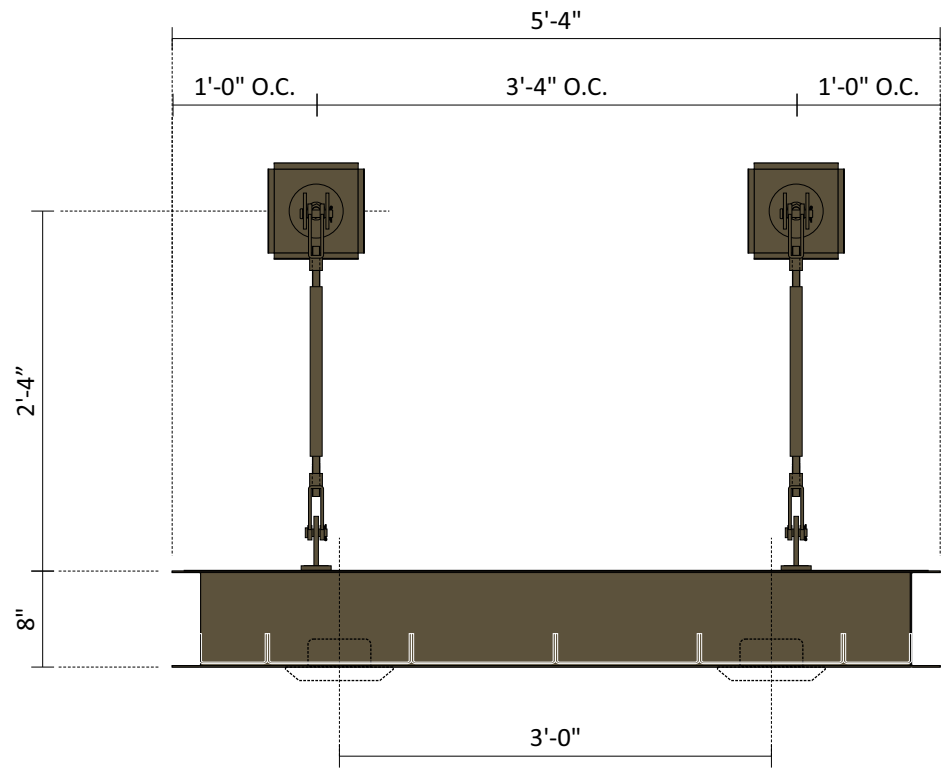
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M1



M2 M3

C-CHANNEL AWNING WITH DOWN LIGHTING

SCALE: 3/4" = 1'- 0"

TWO (2) REQUIRED - MANUFACTURE AND INSTALL

AWNINGS TO BE PAINTED KYNAR 500 PVDF
T6039 DARK BRONZE

NOTE:
BLOCKING FOR AWNING BY G.C.

END VIEW

SCALE: 3/4" = 1'- 0"

0634886AR1

Sheet 24 of 30

Client

#5431

Address

14801 S Memorial Dr E,
Bixby, OK

Account Rep. KRISTEN HAMILTON
SCARLETT QUINTERO

Designer LEAH LANSFORD

Date 3/27/23

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Revision/Date

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MOVED SIGN F



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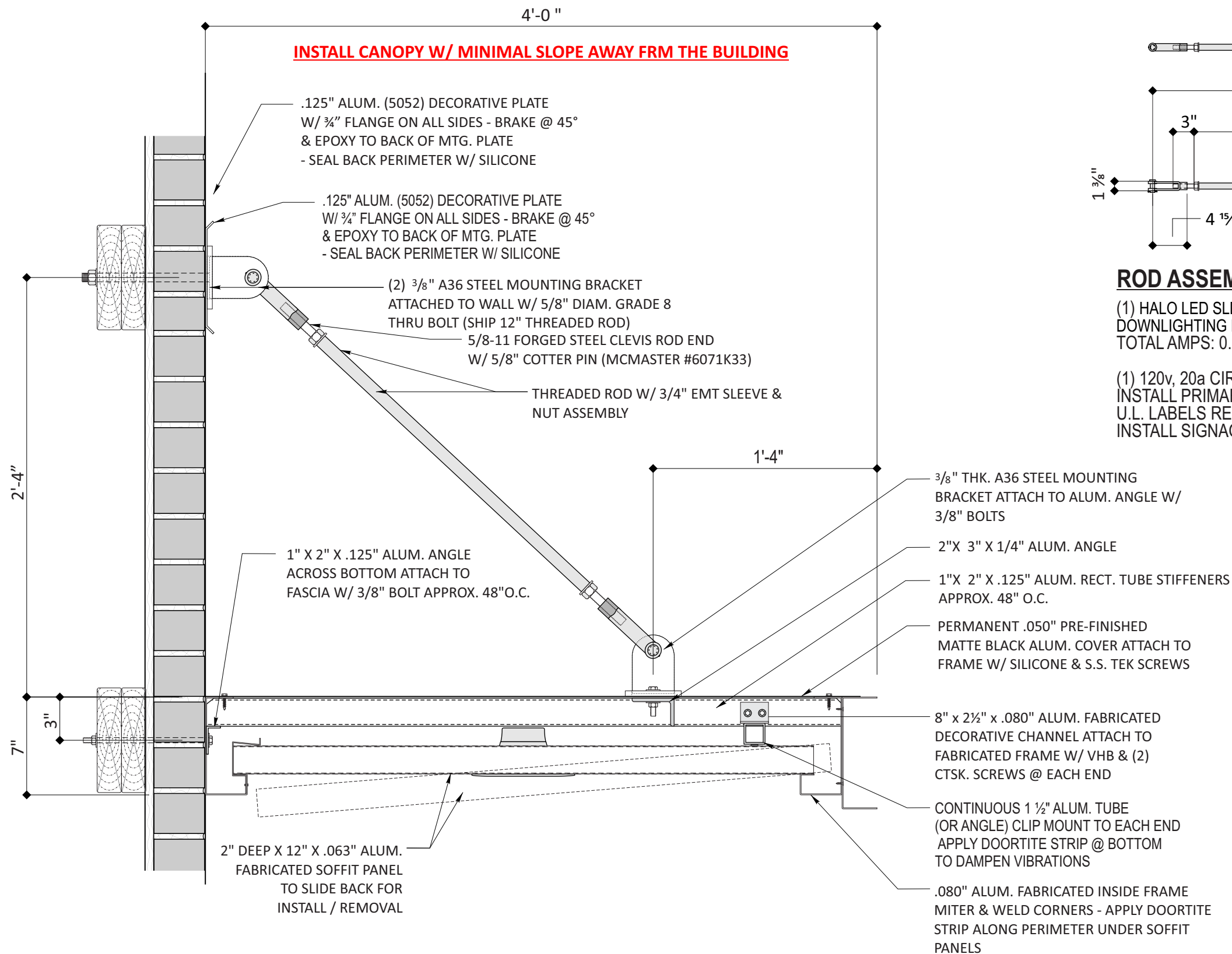
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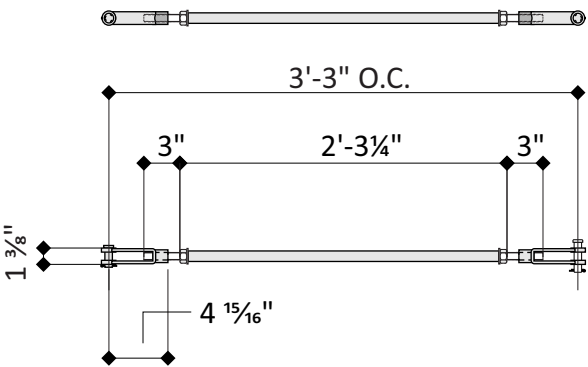


M2-3



SECTION (A) DETAIL SCALE 1 1/2" = 1'

NEW REMOVABLE SOFFIT PANEL



ROD ASSEMBLY DETAIL SCALE 3/4" = 1'

(1) HALO LED SLD40583WHJB
DOWNLIGHTING FIXTURE (.15 AMPS EA.)
TOTAL AMPS: 0.15

(1) 120v, 20a CIRCUIT REQ'D
INSTALL PRIMARY PER N.E.C.
U.L. LABELS REQUIRED
INSTALL SIGNAGE PER N.E.C.

0634886AR1

Sheet 25 of 30

Client

#5431

Address

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Bixby, OK

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SCARLETT QUINTERO

Designer LEAH LANSFORD

Date 3/27/23

Approval / Date

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Revision/Date

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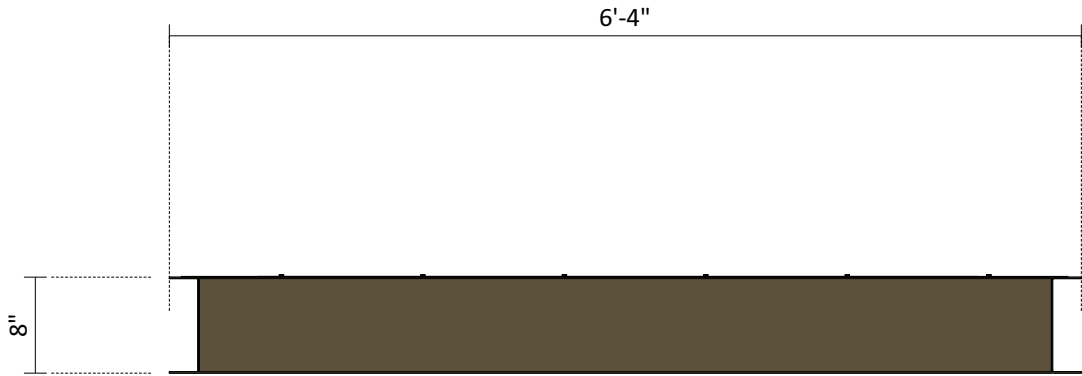
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M1-3

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N1-13

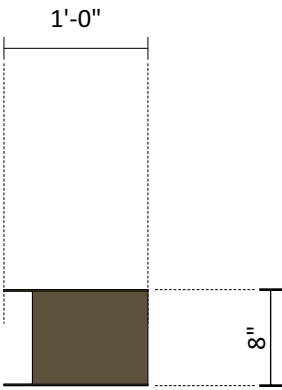
C-CHANNEL AWNING - NON-LIT

THIRTEEN (13) REQUIRED - MANUFACTURE AND INSTALL

SCALE: 3/4" = 1'-0"

AWNINGS TO BE PAINTED KYNAR 500 PVDF
T6039 DARK BRONZE

NOTE:
BLOCKING FOR AWNING BY G.C.



END VIEW

SCALE: 3/4" = 1'- 0"

0634886AR1

Sheet26 of 30

Client#5431

Address14801 S Memorial Dr E,
Bixby, OK

Account Rep.KRISTEN HAMILTON
SCARLETT QUINTERO

DesignerLEAH LANSFORD

Date3/27/23

Approval / Date

Client

Sales

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Landlord

Revision/Date

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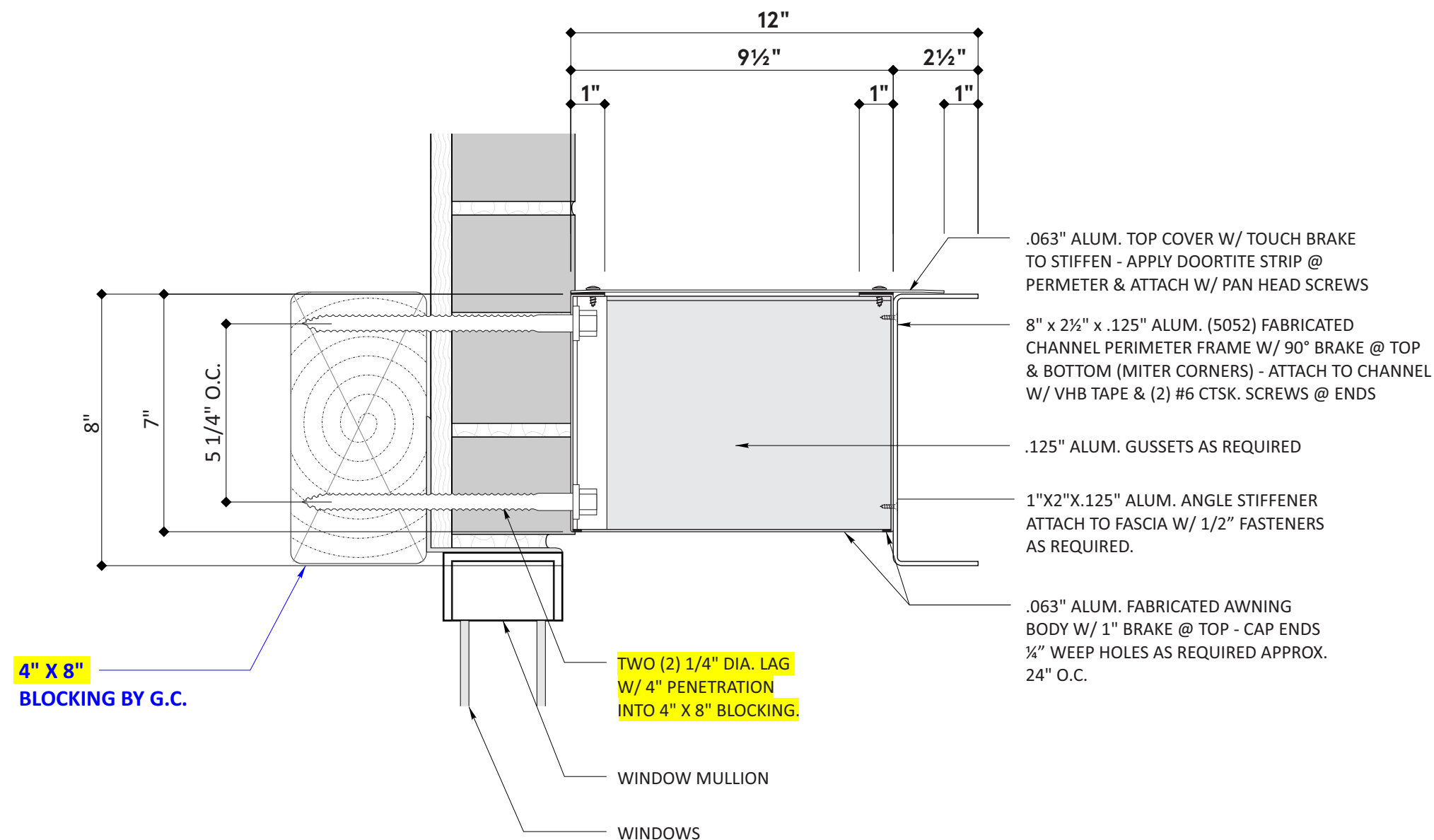
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Chick-fil-A

N1-13

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AWNINGS AND ALL NECESSARY EXPOSED HARDWARE TO BE PAINTED KYNAR 500 PVDF T6039 DARK BRONZE

0634886AR1	
Sheet	27 of 30
Client	
#5431	
Address	
14801 S Memorial Dr E, Bixby, OK	
Account Rep.	KRISTEN HAMILTON SCARLETT QUINTERO
Designer	LEAH LANSFORD
Date	3/27/23
Approval / Date	
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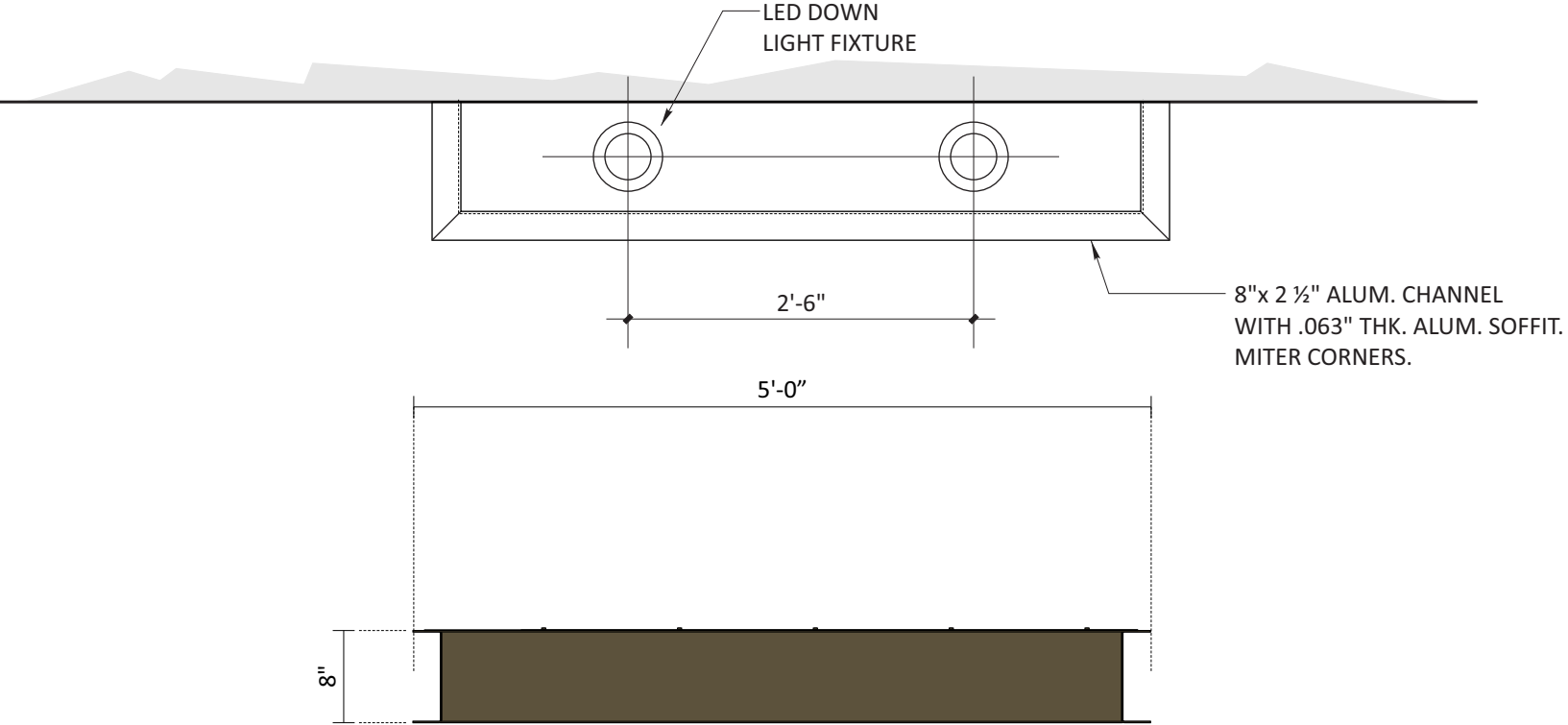
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N1-13



O

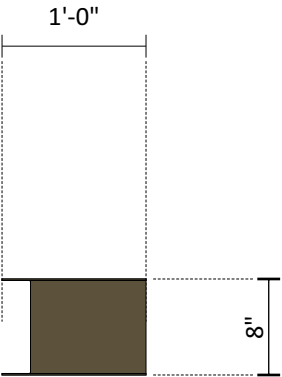
C-CHANNEL AWNING W/DOWN LIGHTING

ONE (1) REQUIRED - MANUFACTURE AND INSTALL

SCALE: 3/4" = 1'-0"

AWNINGS TO BE PAINTED KYNAR 500 PVDF
T6039 DARK BRONZE

NOTE:
BLOCKING FOR AWNING BY G.C.



END VIEW

SCALE: 3/4" = 1'- 0"

0634886AR1

Sheet 28 of 30

Client #5431

Address 14801 S Memorial Dr E, Bixby, OK

Account Rep. KRISTEN HAMILTON
SCARLETT QUINTERO

Designer LEAH LANSFORD

Date 3/27/23

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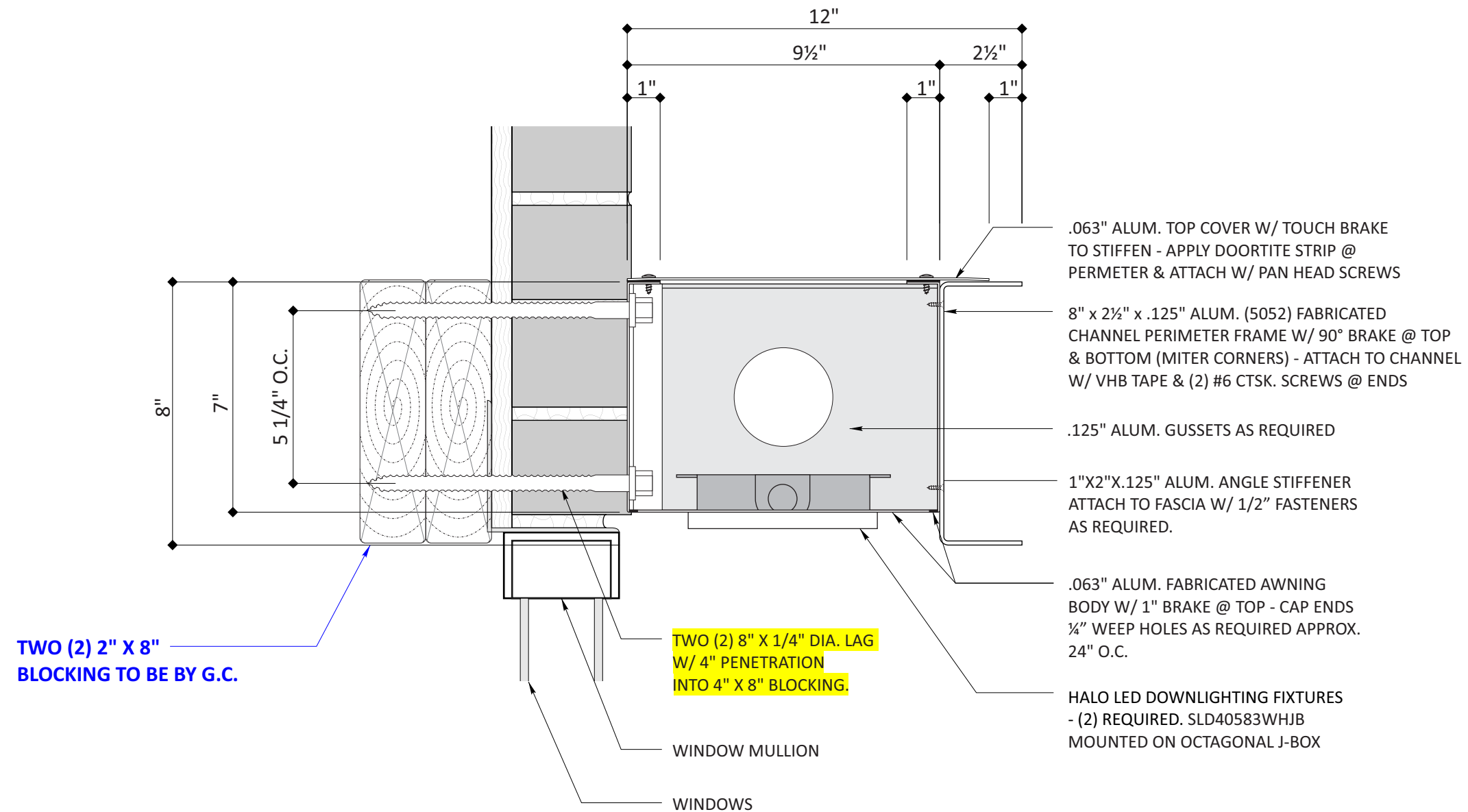
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Chick-fil-A

O

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SECTION "C"

$$3'' = 1'-0''$$

AWNINGS AND ALL NECESSARY EXPOSED HARDWARE TO BE PAINTED KYNAR 500 PVDF T6039 DARK BRONZE



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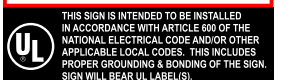
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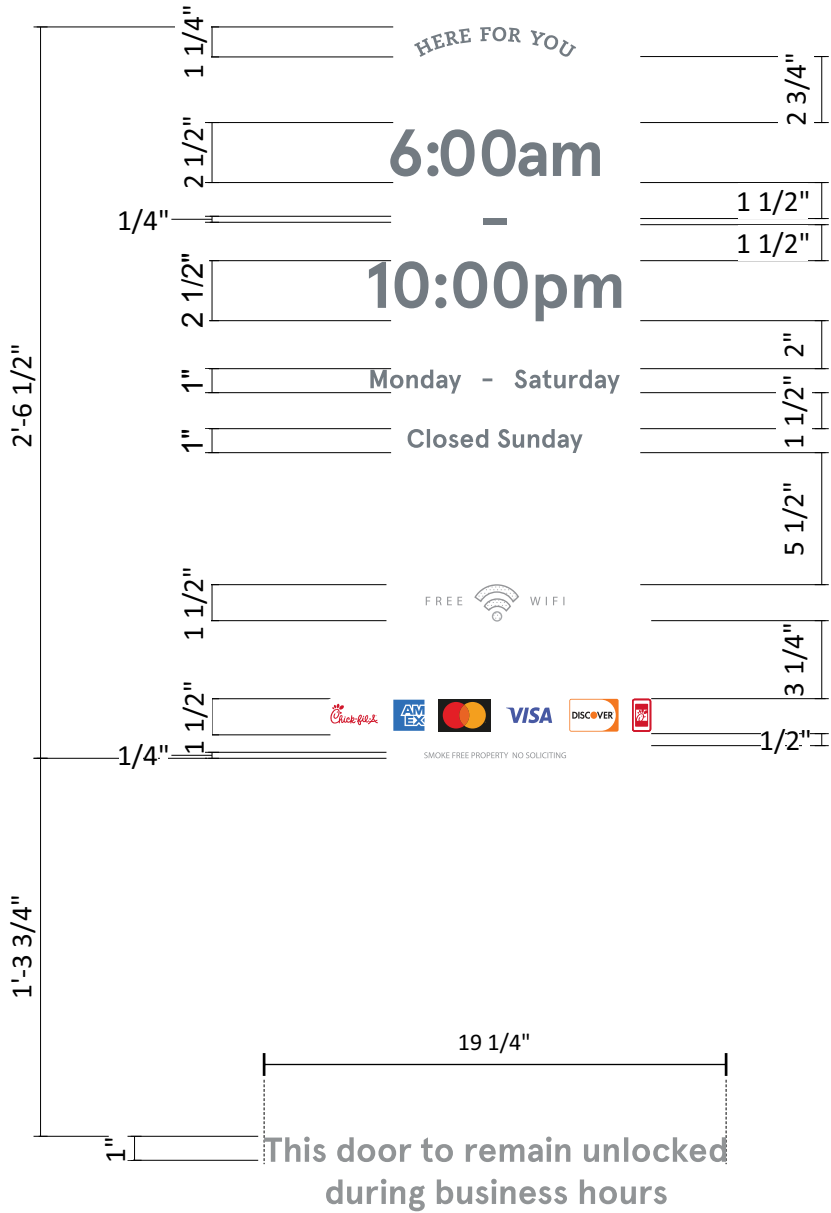
SCALE: $3/8" = 1'-0"$

VINYL COPY SHOWN IN GRAY FOR VISUAL PURPOSES ONLY



1 3 5 0

**VINYL NOTE:
EXTRA VINYL NUMBERS TO BE INCLUDED
ON VINYL SHEET FOR LATER USE OF
POSSIBLE HOUR CHANGE.**



This door to remain unlocked
during business hours

P1 P2

CFA - ADDRESS VYL

SCALE: 1 1/2" = 1'-0"

TWO (2) REQUIRED - MANUFACTURE & INSTALL

COPY TO BE OPAQUE WHITE VINYL,
APPLIED 1ST SURFACE. (EXTERIOR OF DOOR)

EACH DIGITAL PRINT LOGO TO BE CUT INDIVIDUALLY

Q1 Q2

CFA - DOOR VYL

SCALE: 1 1/2" = 1'-0"

TWO (2) REQUIRED - MANUFACTURE & INSTALL

COPY TO BE OPAQUE WHITE VINYL,
APPLIED 1ST SURFACE. (EXTERIOR OF DOOR)

EACH DIGITAL PRINT LOGO TO BE CUT INDIVIDUALLY

0634886AR1	
Sheet	30 of 30
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Revision/Date
R1(3/30/23)LL: REMOVED E2, G2, K FROM ART.
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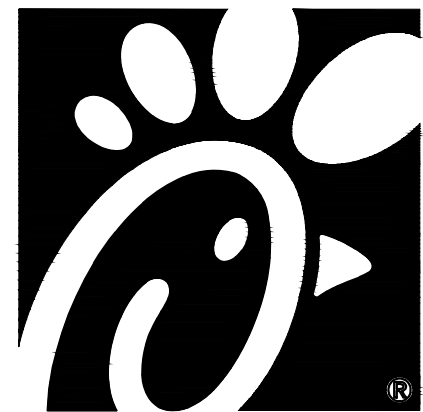
**FINAL ELECTRICAL
CONNECTION BY
CUSTOMER**

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THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF THE SIGN. SIGN WILL BEAR UL LABEL(S).



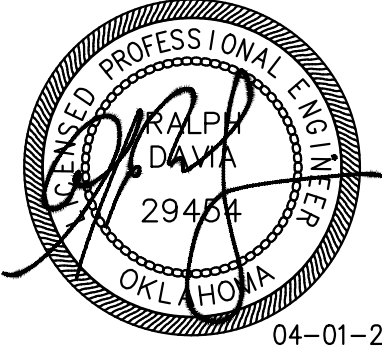
P1-2, Q1-2



Chick-fil-A

Chick-fil-A
5200 Buffington Road
Atlanta, Georgia 30349-2998

Seal



04-01-2023

GREYDEN

ENGINEERING • PLANNING

12460 Crabapple Road
Suite 202-374
Alpharetta, Georgia 30004
PH: 770-573-4801 FAX: 678-502-6362

CHICK-FIL-A
148th St & Memorial Dr.
14801 S Memorial Drive
Bixby, OK 74008

FSU# 05431

REVISION SCHEDULE		DESCRIPTION
NO.	DATE	
5	12-17-19	OPERATOR & STORM REV.
GREYDEN PROJECT #		22-106
PRINTED FOR		IFP
DATE		1/1/
DRAWN BY		

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SHEET
GRADING AND DRAINAGE PLAN

SHEET NUMBER

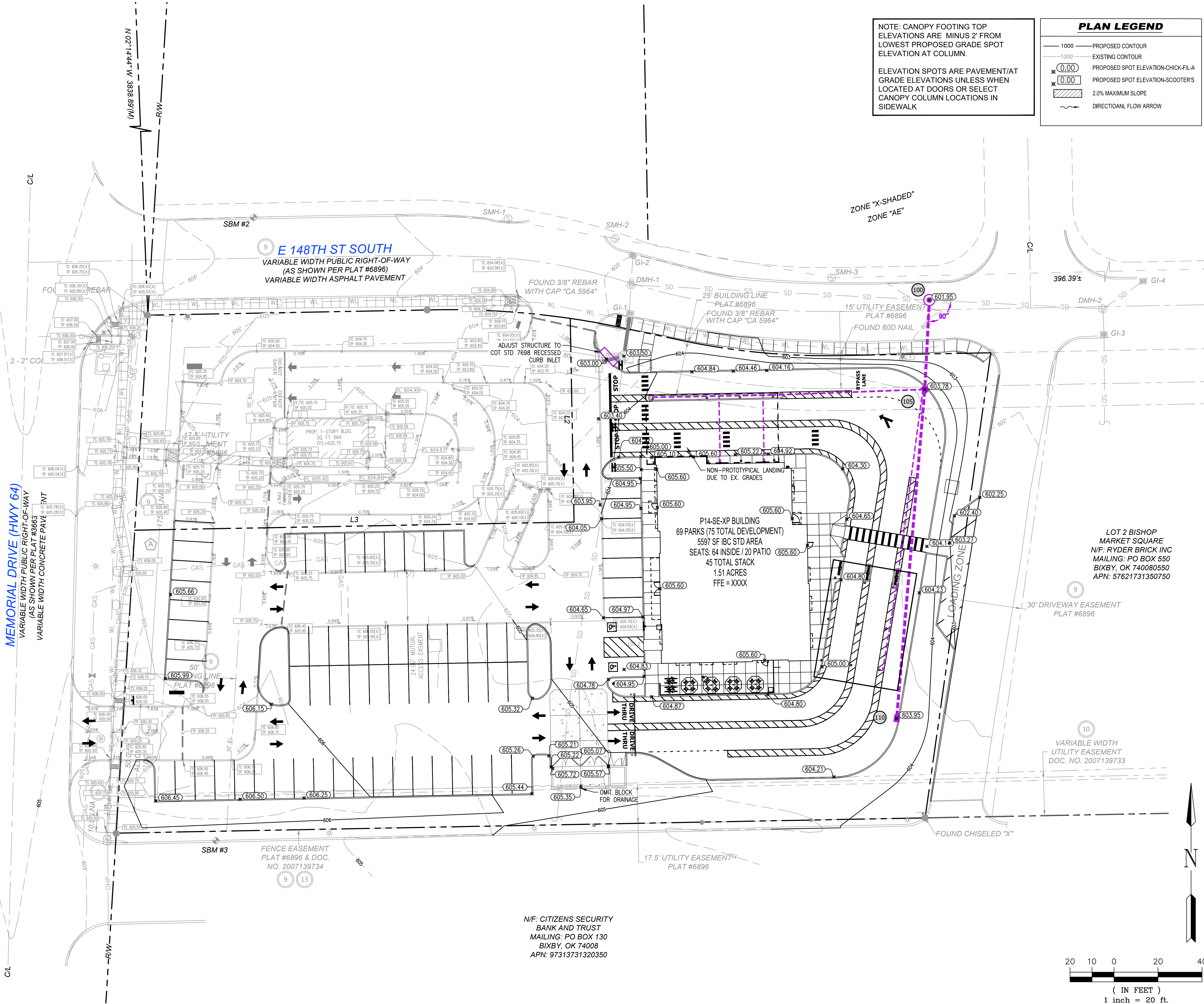
C-3.0

NOTE: CANOPY FOOTING TOP ELEVATIONS ARE MINUS 2' FROM LOWEST PROPOSED GRADE SPOT ELEVATION AT COLUMN.

ELEVATION SPOTS ARE PAVEMENT/AT GRADE ELEVATIONS UNLESS WHEN LOCATED AT DOORS OR SELECT CANOPY COLUMN LOCATIONS IN SIDEWALK

PLAN LEGEND

- 1000 PROPOSED CONTOUR
- 1000 EXISTING CONTOUR
- 0.00 PROPOSED SPOT ELEVATION-CHICK-FIL-A
- 0.00 PROPOSED SPOT ELEVATION-SCOOTER'S
- 2.0% MAXIMUM SLOPE
- DIRECTIONAL FLOW ARROW



N/F: CITIZENS SECURITY
BANK AND TRUST
MAILING: PO BOX 130
BIXBY, OK 74008
APN: 97313731320350

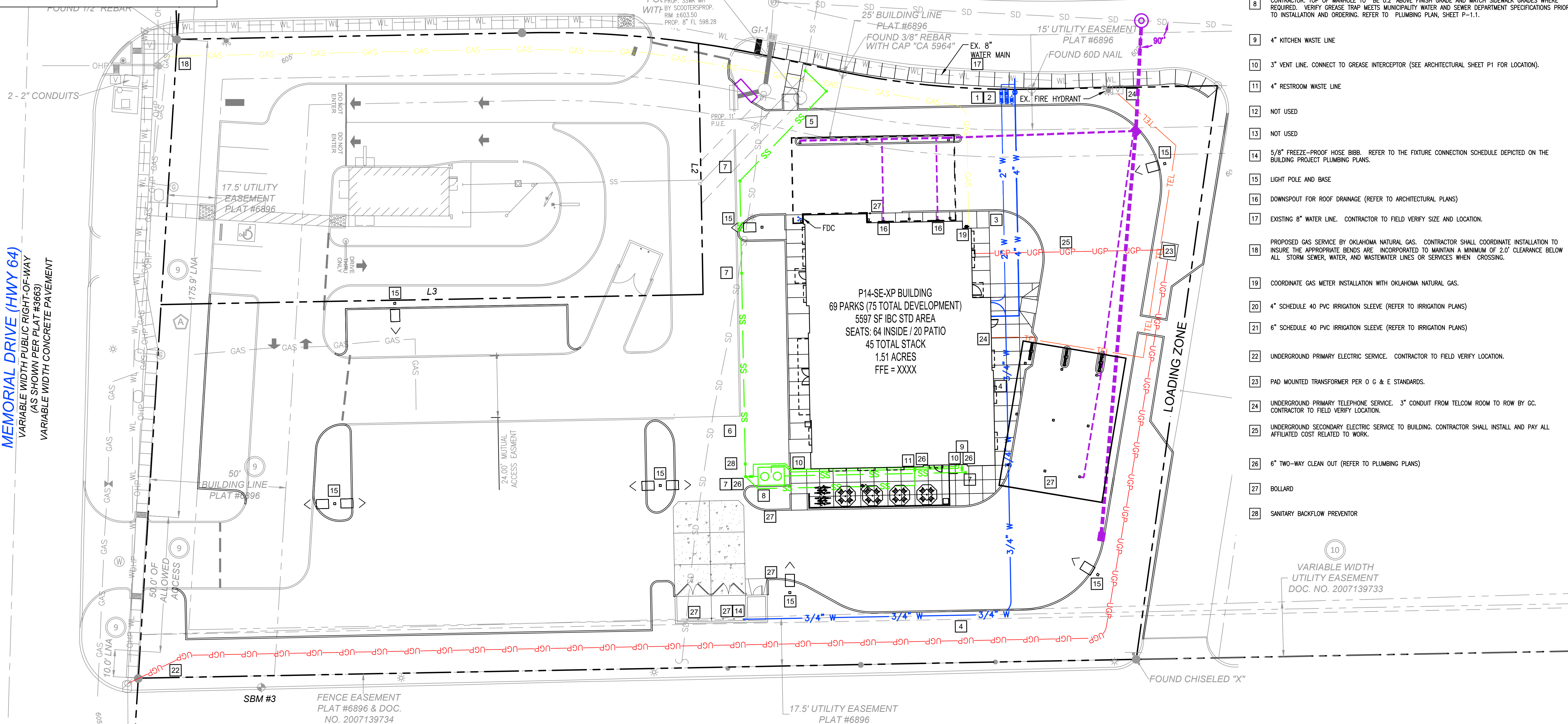
20 10 0 20 40
(IN FEET)
1 inch = 20 ft.

UTILITY PLAN LEGEND

EXISTING	PROPOSED
	GAS
	WATER
	FIRE
	ELECTRICITY
	TELEPHONE
	SANITARY SEWER
	THRUST BLOCK
	FIRE HYDRANT ASSEMBLY
	MANHOLE
	CLEANOUT
	POST INDICATOR VALVE
	VALVE
	STRUCTURE LABEL
	WATER METER
	LIGHTING
	TRANSFORMER PAD
	FIRE DEPT. CONNECTION (FDC)

E 148TH ST SOUTH
VARIABLE WIDTH PUBLIC RIGHT-OF-WAY
(AS SHOWN PER PLAT #6896)
VARIABLE WIDTH ASPHALT PAVEMENT

MEMORIAL DRIVE (HWY 64)
VARIABLE WIDTH PUBLIC RIGHT-OF-WAY
(AS SHOWN PER PLAT #3663)
VARIABLE WIDTH CONCRETE PAVEMENT



CONSTRUCTION NOTE:

WATER AND SANITARY SEWER LINES ONLY: PRIOR TO CONSTRUCTION OF ALL SERVICE LINES, THE CITY LINE MAINTENANCE SUPERINTENDENT OR SUPERVISOR MUST BE NOTIFIED. THE CITY WILL MAKE ALL UTILITY CONNECTIONS TO EXISTING PUBLIC UTILITIES AND SHALL INSPECT ALL UTILITY CONNECTIONS TO PRIVATE MAINLINES. THE LINE MAINTENANCE SUPERVISOR MAY REQUIRE ANY UNAUTHORIZED UTILITY CONNECTIONS TO BE EXCAVATED FOR INSPECTION.

PRIOR TO ANY UNDERGROUND CONSTRUCTION THE CONTRACTOR SHALL HIRE AN EXTENSIVE UNDERGROUND UTILITY LOCATE COMPANY TO VERIFY ALL EXISTING UTILITY LOCATIONS. INFORMATION SHOWN ON THESE PLANS WERE TAKEN FROM MUNICIPALITY RECORDS AND ACTUAL LOCATIONS COULD VARY IN THE FIELD.

- PAY DOMESTIC METER/TAPPING FEES TO CITY IF REQUIRED. 2" WATER METER, DOMESTIC 2" COPPER LINE TO BLDG. GC MAKES WATER TAP, CITY SETS METER. RPZ BY GC AND GC TO INSTALL SERVICE TO BUILDING FROM METER.
- PAY IRRIGATION METER/TAPPING FEES TO CITY IF REQUIRED. 1" COPPER LINE WITH 1" IRRIGATION METER RPZ BTP. GC MAKES WATER TAP, CITY SETS METER. RPZ BY GC AND GC TO INSTALL SERVICE TO BUILDING FROM METER.
- INSTALL 2" TYPE K COPPER WATER SERVICE. PLUMBING CONTRACTOR TO COORDINATE WITH BUILDING CONTRACTOR.
- 3/4" COLD WATER TO DUMPSTER POST HYDRANT.
- INSTALL 6" C900 PVC WASTEWATER SERVICE LATERAL. GC SHALL TAP DEVELOPMENT MANHOLE WITH INSPECTIONS.
- 6" C900 PVC WASTEWATER SERVICE LINE AT 0.5% SLOPE (MIN.) GC SHALL TAP DEVELOPMENT MANHOLE WITH INSPECTIONS.
- INSTALL 6" CLEAN OUT EVERY 75' MINIMUM. USE TRAFFIC RATED CLEANOUT IN ALL PAVEMENT AREAS AS REQUIRED OR AS REQUIRED BY THE LOCAL PLUMBING CODE (WHICHEVER IS MORE STRINGENT).
- ONE PRECAST 1000 GAL. CAPACITY GREASE TRAP. PLUMBING CONTRACTOR SHALL COORDINATE WITH BUILDING CONTRACTOR. TOP OF MANHOLE TO BE 0.2" ABOVE FINISH GRADE AND MATCH SIDEWALK GRADES WHERE REQUIRED. VERIFY GREASE TRAP MEETS MUNICIPALITY WATER AND SEWER DEPARTMENT SPECIFICATIONS PRIOR TO INSTALLATION AND ORDERING. REFER TO PLUMBING PLAN, SHEET P-1.1.
- 4" KITCHEN WASTE LINE
- 3" VENT LINE. CONNECT TO GREASE INTERCEPTOR (SEE ARCHITECTURAL SHEET P1 FOR LOCATION).
- 4" RESTROOM WASTE LINE
- NOT USED
- NOT USED
- 5/8" FREEZE-PROOF HOSE BIBB. REFER TO THE FIXTURE CONNECTION SCHEDULE DEPICTED ON THE BUILDING PROJECT PLUMBING PLANS.
- LIGHT POLE AND BASE
- DOWNSPOUT FOR ROOF DRAINAGE (REFER TO ARCHITECTURAL PLANS)
- EXISTING 8" WATER LINE. CONTRACTOR TO FIELD VERIFY SIZE AND LOCATION.
- PROPOSED GAS SERVICE BY OKLAHOMA NATURAL GAS. CONTRACTOR SHALL COORDINATE INSTALLATION TO INSURE THE APPROPRIATE BENDS ARE INCORPORATED TO MAINTAIN A MINIMUM OF 2.0' CLEARANCE BELOW ALL STORM SEWER, WATER, AND WASTEWATER LINES OR SERVICES WHEN CROSSING.
- COORDINATE GAS METER INSTALLATION WITH OKLAHOMA NATURAL GAS.
- 4" SCHEDULE 40 PVC IRRIGATION SLEEVE (REFER TO IRRIGATION PLANS)
- 6" SCHEDULE 40 PVC IRRIGATION SLEEVE (REFER TO IRRIGATION PLANS)
- UNDERGROUND PRIMARY ELECTRIC SERVICE. CONTRACTOR TO FIELD VERIFY LOCATION.
- PAD MOUNTED TRANSFORMER PER O G & E STANDARDS.
- UNDERGROUND PRIMARY TELEPHONE SERVICE. 3" CONDUIT FROM TELCOM ROOM TO ROW BY GC. CONTRACTOR TO FIELD VERIFY LOCATION.
- UNDERGROUND SECONDARY ELECTRIC SERVICE TO BUILDING. CONTRACTOR SHALL INSTALL AND PAY ALL AFFILIATED COST RELATED TO WORK.
- 6" TWO-WAY CLEAN OUT (REFER TO PLUMBING PLANS)
- BOLLARD
- SANITARY BACKFLOW PREVENTOR

10
VARIABLE WIDTH
UTILITY EASEMENT
DOC. NO. 2007139733

NOTICE: EXISTING UTILITY LOCATIONS

PRIOR TO EXCAVATION AND INSTALLATION OF ANY UNDERGROUND UTILITY, STORM DRAINAGE FACILITIES, GRADING & PAVING, AND OTHER RELATED CONSTRUCTION ACTIVITY, THE CONTRACTOR SHALL CONTACT THE LOCAL UTILITY LOCATING COMPANY. THE CONTRACTOR SHALL ALSO BE REQUIRED TO COORDINATE DIRECTLY (AS NECESSARY) WITH EACH APPLICABLE UTILITY AGENCY FOR APPROPRIATE FIELD LOCATION MARKING. THE CONTRACTOR SHALL BE RESPONSIBLE TO ASSURE THAT ALL EXISTING UTILITIES HAVE BEEN LOCATED & MARKED TO PERFORM THE WORK IN A SAFE MANNER WITHOUT DAMAGE TO EXISTING UTILITIES.

UTILITY PLAN DESIGN NOTES AND KEY PLAN

THE CITY SHALL PROVIDE THE NECESSARY FITTINGS TO CONNECT THE NEW SERVICE LINE EXTENSION TO THE EXISTING SEWER LATERAL/MAIN. THE CONTRACTOR SHALL VERIFY SIZE, LOCATION, MATERIAL AND INVERT ELEVATION PRIOR TO INSTALLING ANY ON-SITE SEWER FACILITIES. MINOR ADJUSTMENTS TO THE NEW SERVICE LINE INVERT ELEVATION MAY BE NECESSARY DEPENDING UPON FIELD MEASUREMENTS.

CAUTION/WARNING:

THE CONTRACTOR SHALL USE EXTREME CAUTION TO PROPERLY SHEET, SHORE, AND DEWATER EXCAVATION TO COMPLETE THE CONNECTION IN A SAFE MANNER, AND WITHOUT DAMAGE OR SETTLEMENT TO EXISTING FACILITIES OR ROAD. PROVIDE THE NECESSARY TRAFFIC CONTROL MEASURES TO PREVENT TRAFFIC FROM DRIVING TOO CLOSE TO THE EXCAVATIONS AND OTHER RELATED WORK AREAS.

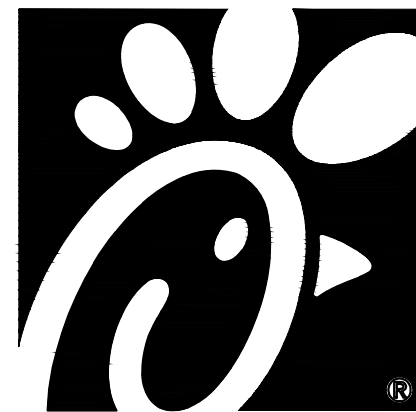
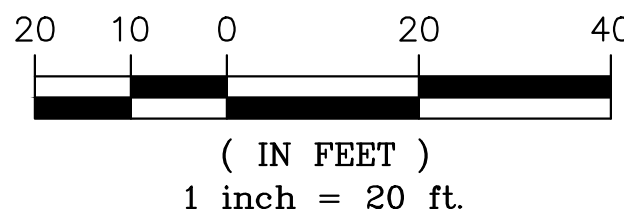
N/F: CITIZENS SECURITY
BANK AND TRUST
MAILING: PO BOX 130
BIXBY, OK 74008
APN: 97313731320350

CAUTION

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTORS CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

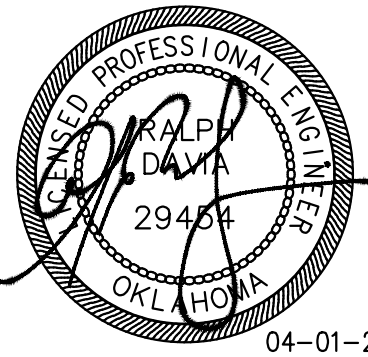


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Seal



GREYDEN

ENGINEERING • PLANNING

12460 Crabapple Road
Suite 202-374
Alpharetta, Georgia 30004
PH: 770-573-4801 FAX: 678-502-6362

CHICK-FIL-A
148th St & Memorial Dr.
14801 S Memorial Drive
Bixby, OK 74008

FSU# 05431

REVISION SCHEDULE

NO.	DATE	DESCRIPTION
6	1-31-2020	BLDG. COMMENTS

GREYDEN PROJECT # 22-106

PRINTED FOR IFP

DATE 1/1/20

DRAWN BY

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SHEET

PLUMBING SITE PLAN

IFP

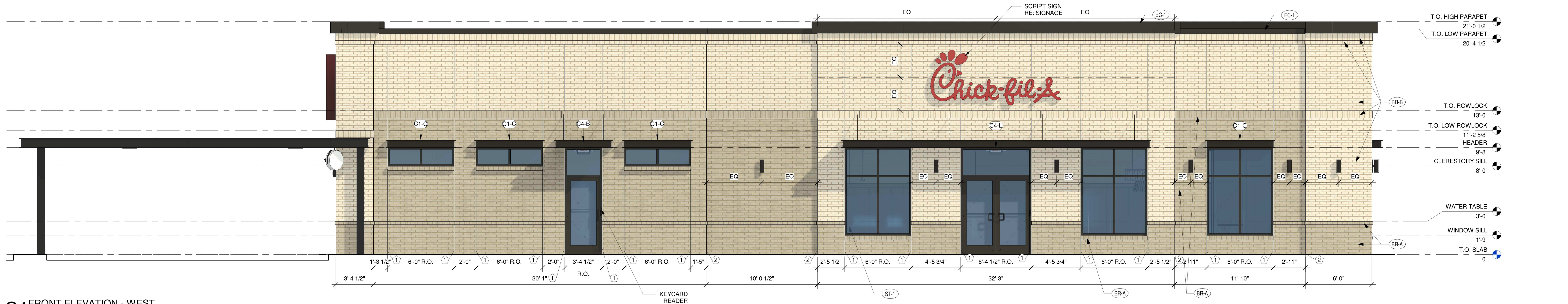
SHEET NUMBER

PS-1.0

3/27/2023 11:32:58 AM Autocad Docs/OK 05431_148th St & Memorial Dr FSU_2023.3_FSR/05431_148th St & Memorial Dr FSU_ARC.rvt
SE-05431-A-301X-COLOR EXTERIOR ELEVATIONS



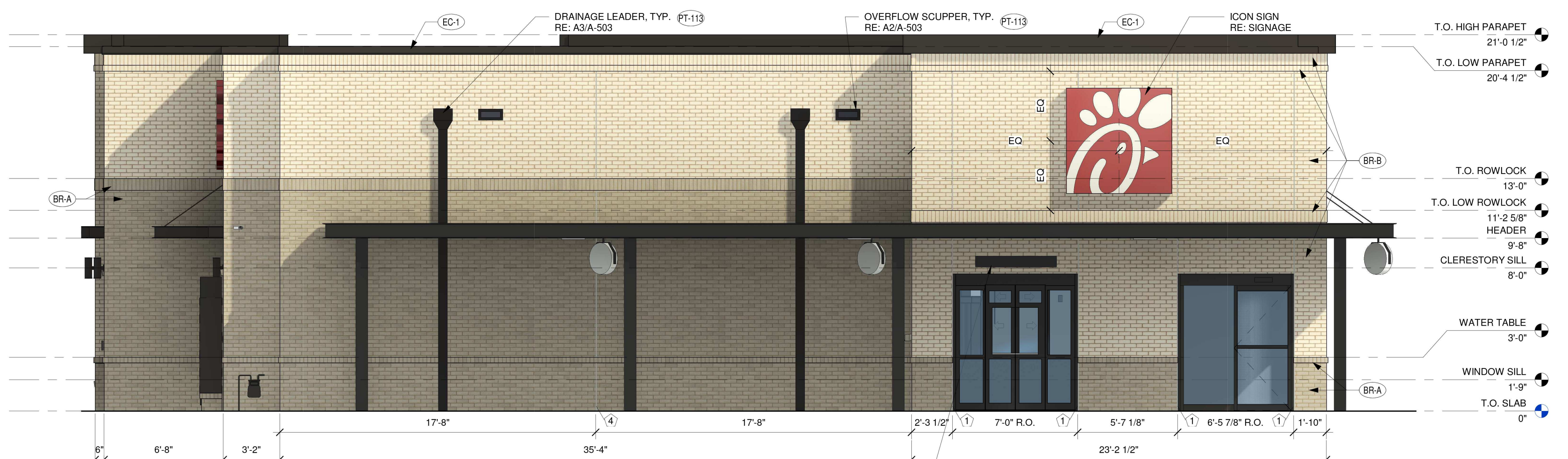
D4 REAR ELEVATION - EAST
1/4" = 1'-0"



C4 FRONT ELEVATION - WEST
1/4" = 1'-0"



B4 SIDE ELEVATION - SOUTH
1/4" = 1'-0"



A4 DRIVE-THRU ELEVATION - NORTH
1/4" = 1'-0"

NOTE: NOT TO SCALE DUE TO REDUCING 30X42 PAPER TO A FOLDEABLE 24X36 SIZE

GENERAL NOTES
1. ALL SIGNAGE PROVIDED BY OTHERS
2. REF FLOOR PLAN AND WINDOW LEGEND FOR STOREFRONT INFORMATION

BRICK EXPANSION JOINT LEGEND
(1) ALIGN EJ WITH JAMB
(2) ALIGN EJ WITH CORNER OF WALL
(4) PLACE EJ AS DIMENSIONED
NOTE: EJ SEALANT COLOR TO MATCH MORTAR COLOR.
NOTE: EXPANSION JOINTS ARE 1/2" WIDE UNLESS OTHERWISE NOTED.

CANOPY NOTES:
BUILDING MOUNTED CANOPIES
- 8" THICK CANOPY
- KYNAR FINISH OF STRUCTURE, FASCIA, & DECKING TO MATCH (CP-1)
COLUMN MOUNTED CANOPIES
- 10" THICK CANOPY
- FINISH OF STRUCTURE TO BE (CP-1)
- FINISH OF DECKING TO BE (CP-2)

ATTACHED CANOPY SCHEDULE					
Mark	Description	Count	Overall Width	Overall Depth	Tie Back Mounting (Offset From Top)
C1-C	Exterior Canopy	13	6'-4"	1'-0"	0"
C1-K	Exterior Canopy	1	5'-0"	1'-0"	0"
C4-B	Exterior Canopy	2	5'-4"	4'-0"	2'-4"
C4-L	Exterior Canopy	1	28'-0"	4'-0"	2'-4"
Grand total		17			

LEGEND		OIL EXTRACTION PORT ACCESS BOX	
BR-B	EXPANSION JOINT, SEALANT COLOR TO MATCH MORTAR COLOR, RE: SPECIFICATIONS		CO2 FILL BOX - RE: KITCHEN
BRA	CARD READER BY SECURITY VENDOR - RE: ELEC		LIGHT FIXTURE - RE: ELECTRICAL
EC-1	SCUPPER - PT-113 SEE A2 / A-503		CT CABINET - (PT-113) RE: ELECTRICAL
	DOWNSPOUT - PT-113 SEE A3 / A-503		MDP - PT-113 RE: ELECTRICAL

FINISH SCHEDULE - EXTERIOR						
MARK	DESCRIPTION	MANUFACTURER	MODEL NAME	MODEL NUMBER	COLOR	NOTE
BR-A	BRICK VENEER (PRIMARY)	ACME	MODULAR		PALOMA GRAY	MORTAR: ARGOS'S SAN TAN
BR-B	BRICK VENEER (ACCENT)	ACME	MODULAR		RUSTIC WHITE	MORTAR: ARGOS'S SAN TAN
CP-1	CANOPY METAL FASCIA		DURA COAT	DC19ST-2703	DARK BRONZE	OIL RUBBED BRONZE METALLIC TEXTURE PVD
CP-2	CANOPY METAL DECK				WHITE	SMOOTH WHITE, HIGH GLOSS
EC-1	PARAPET WALL COPING	DUROLAST / EXCEPTIONAL METALS			MIDNIGHT BRONZE	
PT-100	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CRYL HIGH PERFORMANCE ACRYLIC #B66-350	SW 2807	ROCKWOOD	REFUSE ENCLOSURE, FINISH: SEMI-GLOSS ON DOOR FRAMES, SATIN ON WALLS
PT-113	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CRYL HIGH PERFORMANCE ACRYLIC #B66-350	SW BRONZETONE	DARK BRONZE	FINISH: SEMI-GLOSS
ST-1	STOREFRONT	YKK	YES 45 TU & 200 DOORS		DARK BRONZE (MATTE)	

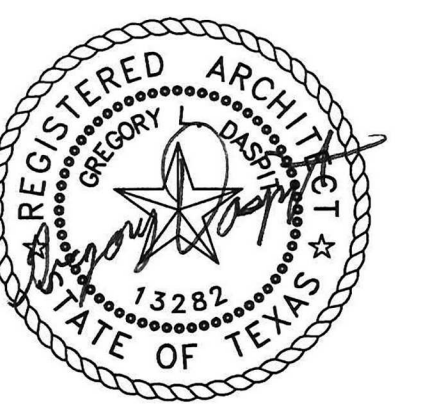


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30349-2998

MAYSE & ASSOCIATES, INC.
Architecture • Planning • Construction Management

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Dallas, Texas 75244
Phone: (972) 386-0338 Fax: (972) 386-0276
www.MayseAssociates.com



3/27/2023 11:32:58 AM

CHICK-FIL-A
148th & Memorial Drive
Bixby, OK 74008

FSR#05431
BUILDING TYPE / SIZE: P14 SE XP
RELEASE: 23.02
PRINTED FOR

NFC
REVISION SCHEDULE
NO. DATE DESCRIPTION

CONSULTANT PROJECT # 23024
DATE 3/27/2023 11:32:58 AM

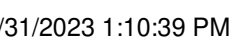
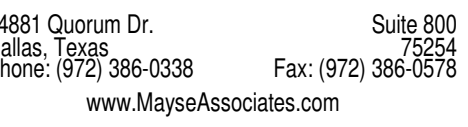
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COLOR EXTERIOR
ELEVATIONS

SHEET NUMBER

A-301X

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FSR#05431

UILDING TYPE / SIZE: P14 SE XP
LEASE: 23.02
RINTED FOR

NFC

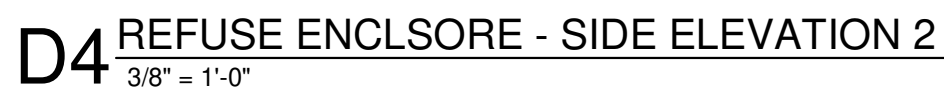
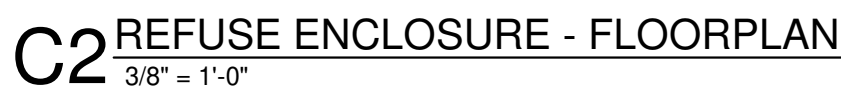
REVISION SCHEDULE		
NO.	DATE	DESCRIPTION

CONSULTANT PROJECT # 23024
DATE 3/31/2023 1:10:39 PM

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SHEET
COLOR REFUSE
ENCLOSURE
ELEVATIONS _____
SHEET NUMBER

Page 81 of 16

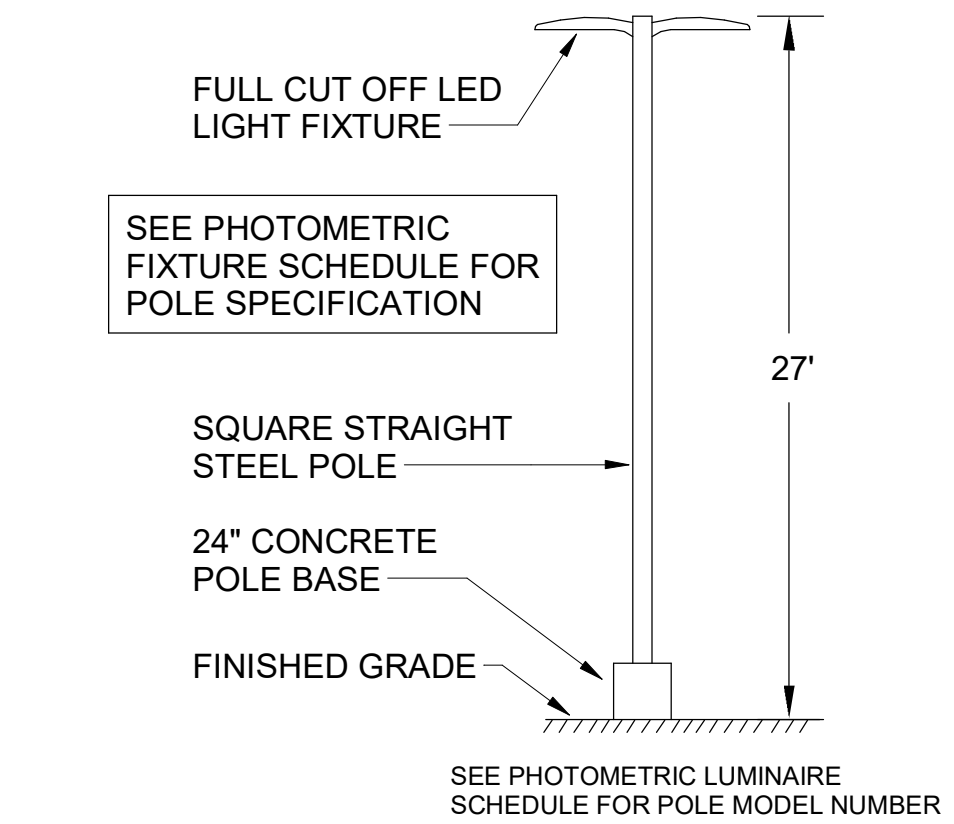


FINISH SCHEDULE - EXTERIOR						
MARK	DESCRIPTION	MANUFACTURER	MODEL NAME	MODEL NUMBER	COLOR	NOTE
PT-10	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CRYL HIGH PERFORMANCE ACRYLIC #B66-350	SW BRONZETONE	9093 - SOFT FAWN	FINISH: SEMI-GLOSS
PT-100	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CRYL HIGH PERFORMANCE ACRYLIC #B66-350	SW 2807	ROOKWOOD	REFUSE ENCLOSURE. FINISH: SEMI-GLOSS ON DOOR FRAMES, SATIN ON WALLS
PT-113	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CRYL HIGH PERFORMANCE ACRYLIC #B66-350	SW BRONZETONE	DARK BRONZE	FINISH: SEMI-GLOSS

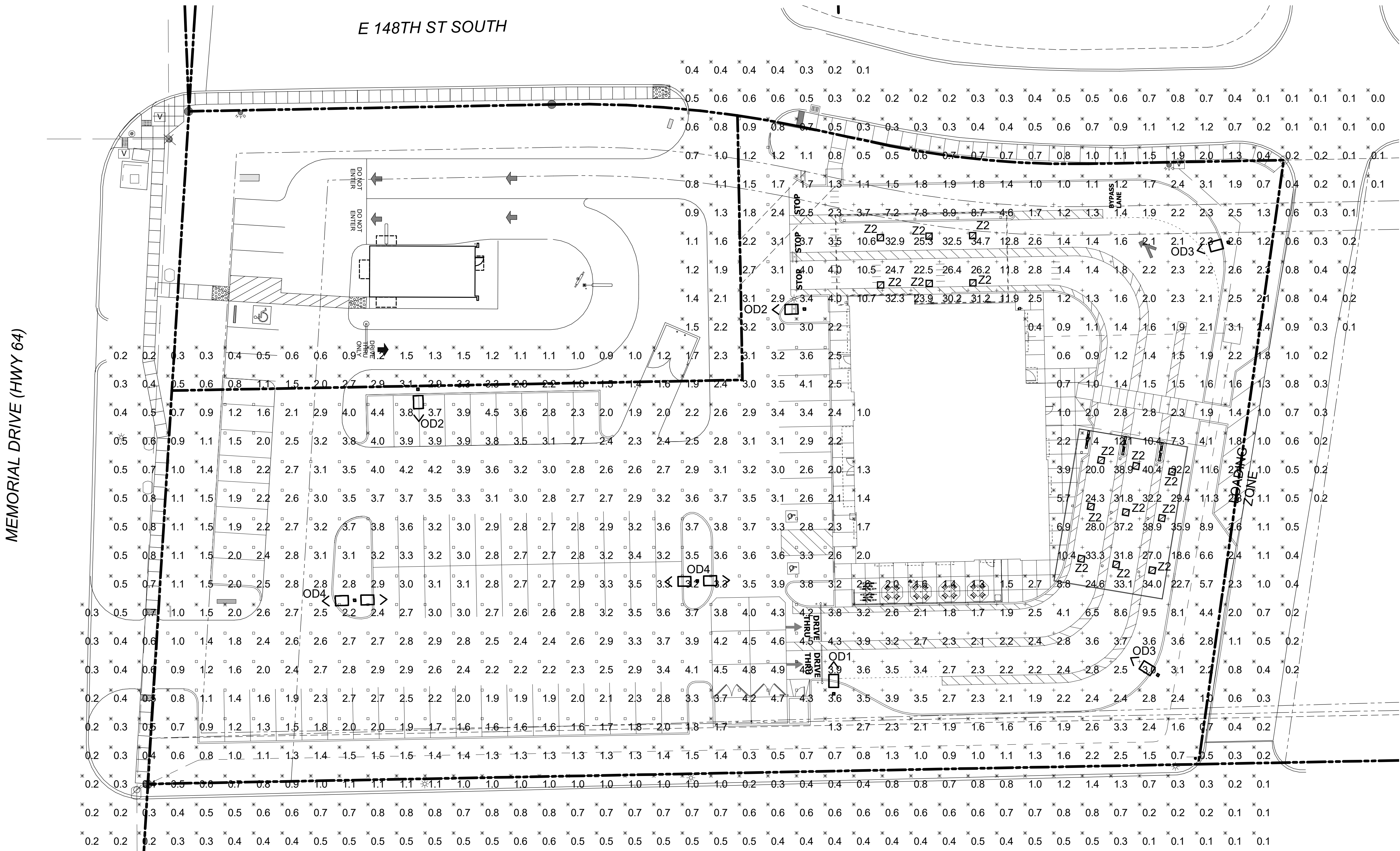
Schedule								
Symbol	Label	Quantity	Manufacturer	Catalog Number	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
	OD1	1	COOPER LIGHTING SOLUTIONS - LUMARK (FORMERLY EATON)	PRV-C40-D-UNV-T3-BZ	2	8575	0.95	131
	OD2	2	COOPER LIGHTING SOLUTIONS - LUMARK (FORMERLY EATON)	PRV-C60-D-UNV-T3-BZ	2	10029	0.95	153
	OD3	2	COOPER LIGHTING SOLUTIONS - LUMARK (FORMERLY EATON)	PRV-C60-D-UNV-T4-BZ	2	9993	0.95	153
	OD4	2	COOPER LIGHTING SOLUTIONS - LUMARK (FORMERLY EATON)	PRV-C60-D-UNV-T5-BZ	2	10678	0.95	306
	Z2	15	LSI INDUSTRIES, INC.	CRUS-SC-LED-LW-30	1	9219	0.95	74

OD POLES SHALL BE 25' SQUARE STRAIGHT STEEL POLES BY KW INDUSTRIES: SSP25-4-0-7-BRZ-DM10/2190-BC. MOUNT POLES ON A 2' CONCRETE POLE BASE. POLES AND LIGHTING FIXTURES TO HAVE A DARK BRONZE FINISH.

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone		2.9 fc	40.4 fc	0.0 fc	N/A	N/A
Drive Thru		9.4 fc	40.4 fc	1.2 fc	33.7:1	7.8:1
Parking Lot		2.9 fc	4.9 fc	0.9 fc	5.4:1	3.2:1



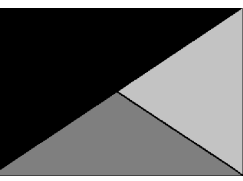
D1 AREA LIGHTING POLE DETAIL
N.T.S.



A1 PHOTOMETRIC PLAN
1" = 20'-0"



Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998



Kurzynske
& Associates
2705 Lebanon Pike - Suite One
Nashville, Tennessee 37214
Telephone: (615) 255-5203



CHICK-FIL-A
148th & Memorial FSU
14801 S Memorial Drive
Bixby, OK 74008

FSR# 05431

REVISION SCHEDULE		DESCRIPTION
NO.	DATE	

CONSULTANT PROJECT #	23056.MA.S
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SHEET
PHOTOMETRIC PLAN

SHEET NUMBER

E-102.



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: O.C. Walker, Director of Development Services
Date: Monday, May 15, 2022
Name: Village of Scereno
RE: BXPUD 17.04, Major Amendment No. 1.
Location: West of the Northwest corner of South Memorial Drive and East 121st Street South, Bixby, Oklahoma 74008
STR: Section 35, Township 17N, Range 13E
Applicant: Blackard Companies, LLC

Request: This is a request to review and approve PUD 17.04, Major Amendment No. 1. for the Village of Scereno which is located West of the Northwest corner of South Memorial Drive and East 121st Street South, Bixby, Oklahoma 74008. The item was previously approved by City Council on June 26, 2017, and the Final Draft document was received by the City of Bixby on January 4, 2018. The Bridge Church is platted as One Lot, One Block, The Bridge at Village of Scereno. The remainder of the property is currently un-platted.

PUD 17.04 was approved subject to a list of conditions, and the conditions are as follows:

- Reduce Commercial Heavy (CH) zoning request to Commercial Shopping (CS).
 - The Site was moved 35 feet south and east away from the Fox Hollow Neighborhood

- 150 total multi-family units, 120 in main complex 30, on Main Street (excluding first-floor option), Change Square Foot Minimum to 800 on multi-family
 - Certificate of Occupancy cannot be issued on B-1 until building permits are issued on Lots 10 – 13
- Retail is a priority on First Floor but uses will be dictated by the market
- Add water tower to the development area
- Water tower height is limited to 70 feet
 - Building limited to two (2) stories or 38 feet
- Single-family three (3) stories reduced to two (2) stories or 38 feet
 - 800 Square Feet changes to 1,700 square feet
- Add low lighting to the trail

Description: The underlying zoning on the property is Commercial Shopping (CS), and is accompanied by a Planned Unit Development (BXPUD-17.04) with the following underlying zoning:

- Residential Single-Family (RS-3)
- Residential Multi-Family (RM-3)
- Commercial Shopping (CS)
- Light Office (OL)
- PUD (RS-3 RM-3, OL, CS, and PUD) for the purpose of a Mixed-use Development

The applicant is requesting a Major Amendment to the existing Planned Unit Development (BXPUD 17.04). The development concept will be for a horizontal and vertically integrated mixed-use, 28.05 acres Master Planned-Development with buildings placed near the right-of-way resulting in a pedestrian-oriented development.

Concept Objectives:

- Principal plaza to follow the Classic American Downtown Square pattern
- Create Public gathering spaces
- Meandering main street or “spine” with three points of access to existing City street
- Share off-site parking

Existing Zoning; Use:

Commercial Shopping (CS), accompanied by the Planned Unit Development (BXPUD 17.04) with the following underlying zoning:

- Residential Single-Family (RS-3)
- Residential Multi-Family (RM-3)
- Light Office (OL)
- Commercial Shopping (CS)

Abutting Zoning; Use:

North: Single-Family Residential (RS-1)

East: Commercial Shopping (CS)

South: Commercial Shopping (CS)

West: Office Light (OL) and Single-Family Residential (RS-3)

Project Overview:**Development Area A 1:**

The Bridge Church sanctuary and supporting buildings for offices and classrooms.

Acres: From 5.98 to 5.58 acres	Gross Lot Area: From 260,690 sq. ft. to 243,105 sq. ft.	Max. Bldg. Height: 4 story/60 ft. 3 story/70 ft. (church)
Max Bldg. Square Footage: From 130,345 sq. ft. to 122,553 sq. ft.		Zoning: Commercial Shopping (CS)

Development Area A-2:

A Coffee Shop with drive-thru service.

Acres: From 0.5 ac to 0.48 ac	Gross Lot Area: From 21,816 sq. ft. to 20,963 sq. ft.	Max. Bldg. Height: 2 story/45 ft.
Max Bldg. Square Footage: 10,908 sq. ft. to 10,485 sq. ft.		Zoning: Commercial Shopping (CS)

Development Area A-3

The Barn is a 10,000 square feet multi-use facility available for community events.

Acres: From 1.77 ac to 1.61 ac	Gross Lot Area: From 77,166 sq. ft. to 70,100 sq. ft.	Max. Bldg. Height: 2 story/45 ft.
Max Bldg. Square Footage: From 38,583 sq. ft. to 35,050 sq. ft.		Zoning: Commercial Shopping (CS)

Development Area A-4

The Chapel is an intimate worship space available for weddings, funerals, or other gatherings and will typically be used by the Youth Group of the Bridge Church.

Acres: From 0.37 ac to 0.41 ac	Gross Lot Area: From 16,310 sq. ft. to 17,975 sq. ft.	Max. Bldg. Height: 2 story/45 ft.
Max Bldg. Square Footage: From 8,155 sq. ft. to 8,988 sq. ft.		Zoning: Commercial Shopping (CS)

Development Area B-1:

A Multi-Family facility with areas available for lease to Retail and Office users. A certificate of Occupancy cannot be issued for buildings B-1 until a foundation for Lots 10, 11, 12, and 13 of Block D-2 has begun construction.

Acres: From 4.84 ac to 5.18 ac	Gross Lot Area: From 210,658 sq. ft. to 225,573 sq. ft.	Max. Bldg. Height: 3 story/48 ft.
Max Bldg. Square Footage: From 1,742 sq. ft./unit to 1,210 sq. ft./unit	Number of Units: From 120 units to 160 units	Zoning : Multi-Family Residential (RM-3)

Development Area B-2

A series of mixed-use buildings with residential units and commercial lease spaces. Retail is to be a priority for the first-floor spaces.

Acres: From 0.76 ac to 2.04 ac	Gross Lot Area: From 33,139 sq. ft. to 88,708 sq. ft.	Max. Bldg. Height: 4 story/60 ft.
Max Bldg. Square Footage: From 16,570 sq. ft. to 44,354 sq. ft.		Zoning: Commercial Shopping (CS)

Development Area C-1

A waterfront restaurant with approximately 8,500 sq. ft. to 30,000 sq. ft. of patio seating and a pier.

Acres: From 1.37 ac to 2.09 ac	Gross Lot Area: From 8,500 sq. ft. to 30,000 sq. ft.	Max. Bldg. Height: 2 story/38 ft. 70 ft. (water tower)
Max Bldg. Square Footage: From 29,782 sq. ft. to 45,493 sq. ft.		Zoning: Commercial Shopping (CS)

Development Area D-1

Single-Family attached, detached homes designed to mimic an old-world village. All lighting shall be shielded to avoid light spillage across property lines. Landscaping and screening shall be well maintained and replaced as required.

Acres: From 2.49 ac to 2.29 ac	Gross Lot Area: From 108,434 sq. ft. to 99,961 sq. ft.	Max. Bldg. Height: 2 story/38 ft.
Min Dwelling Unit St. Ft.: From 1,700 sq. ft. to 800 sq. ft.	Min Lot Size: 4,00 sq. ft.	Zoning: Single-Family Residential (RS-3)

Development Area D-2

Single-Family attached and detached homes designed to mimic an old-world village. Each façade shall be different on every unit.

Acres: 2.00 ac	Gross Lot Area: 87,238 sq. ft.	Max. Bldg. Height: 2 story/38 ft.
Min. Dwelling Unit Sq. Ft.: 1,500 sq. ft.	Min. Lot Area: 4,000 sq. Ft.	Zoning: Single-Family Residential (RS-3)

Development Area D-3

Mixed-use buildings with residential units and commercial lease spaces. Retail is to be a priority for first-floor spaces.

Acres: 0.23 ac	Gross Lot Area: 10,079 sq. ft.	Max. Bldg. Height: 2 story/38 ft.
Min Lot Area: 4,000 sq. ft.	Min Dwelling Unit Sq. Ft.: 1,500 sq. Ft.	Zoning: Multi-Family Residential (RM-3)

Amenity Description:

Staff Report: BXPUD 17.04, MAJOR AMENDMENT NO. 1 | VILLAGE OF SCERENO | 05.15.2023 | Page 5 OF 8

Building Design Standards:
Building Exterior Façade Material

1. Stone will be the predominant façade material, and only durable materials such as clay-fired brick, natural and manufactured stone, granite, marble, and traditional 3-coat stucco, shall be considered primary materials. Native Oklahoma stone material shall be of primary consideration in the building material selection process.
2. Primary materials shall comprise at least 80% of the façade of each floor, exclusive of doors and windows.
3. Only primary building materials are allowed on the first-floor facades, including doors, windows, and accompanying frames. For the purposes of this section, the first-floor height shall be at least nine (9) feet.
4. Secondary materials used on a building façade are those that are comprised of less than a total of 20% of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, cedar or similar quality decorative wood, or other materials as approved by the MARC and the City of Bixby.
5. Four-Sided Buildings Design: All buildings shall be architecturally finished on all sides with the same materials, detailing, and features, except A-1. There a façade is screened from public view, the architectural finish must match the remainder of the buildings in color only.
6. Flat-roof buildings shall have a parapet.

The approval process:

In order to review site and building construction drawings for compliance with the PUD:

1. The Owner shall provide a Preliminary Site Plan for each building permit application demonstrating that the development meets the conditions of this PUD ordinance.
2. The Owner shall submit a final façade plan with a Final Site Plan for each building permit application to ensure that the minimum standards of this ordinance are met. The purpose of the façade plan is to ensure consistency and compatibility for all the buildings within the development
3. The Owner shall submit additional details as deemed necessary by City Review Staff, including, but not limited to, the façade plan or buildings within 100 feet of the building under review.

Expected Schedule of Development

1. Construction shall commence within 24 months from the date the PUD 17.04, Major Amendment No. 1 is approved by City Council.
2. Anticipated development schedule is as follows:
 - a. B-1, B-2 2023
 - b. C-1, D-1 and D-3 2023-2024
 - c. A-2, A-3, A-4 2024-2025

Utilities/Site Area:

There is an existing 12" waterline that runs East/West along the North side of East 121st Street South and an 8 ' waterline that is located along the East portion of the property that currently serves Bridge Church. A 12" Sanitary Sewer is located on the North and East side of the property.

Engineering Review Comments:

No comments have been received at the time of writing.

Public Comments:

- Staff has received calls from a homeowner that lives in the abutting neighborhood.
- The resident requested a copy of the Amendment to the PUD
- The area residential also requested a copy of the PUD that was approved in January 2018.

Staff Comments:

1. Staff supports the Planning Commission recommendation for approval of the requested BXPUD 17.04, Major Amendment No. 1 subject to the property being platted and with Planning and Engineering comments implemented to the Plat before moving to Council.

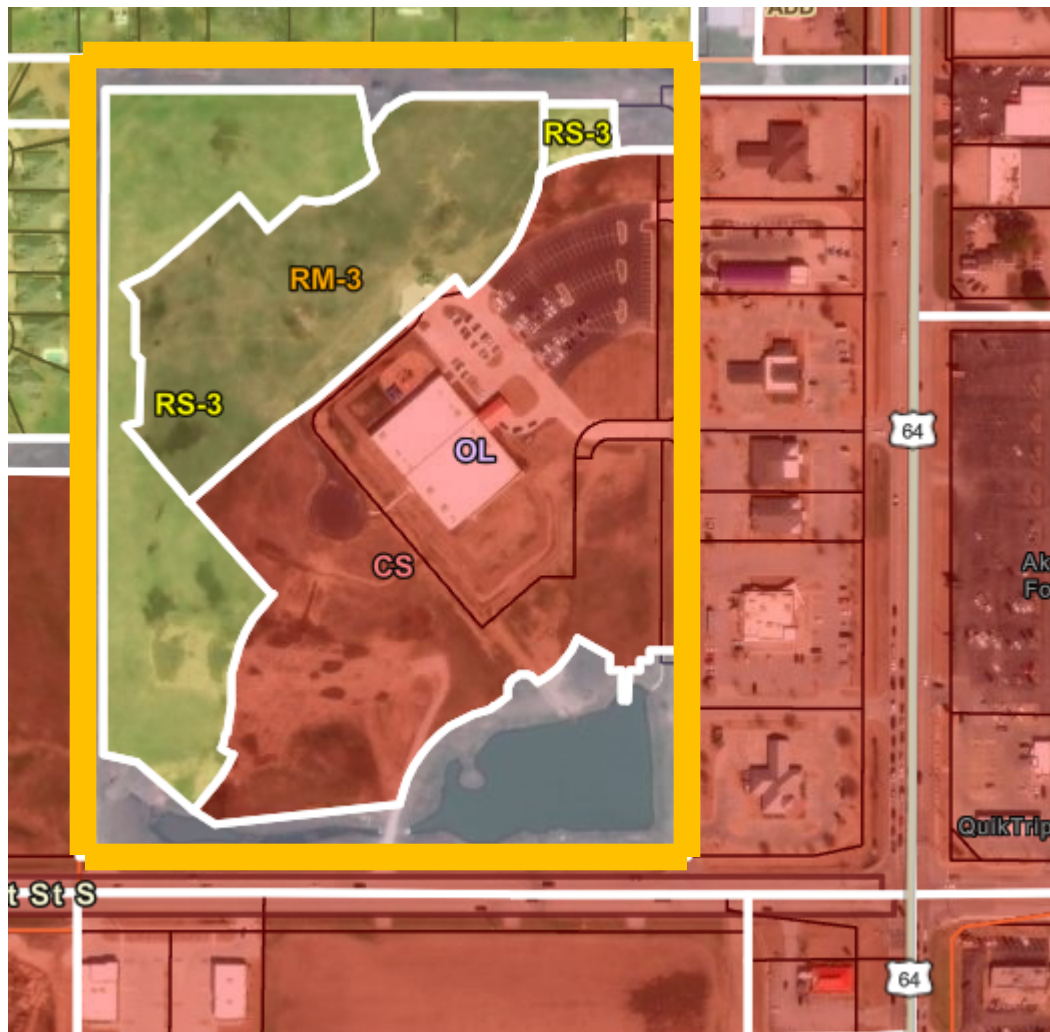


Exhibit A: City of Bixby Zoning Map

Attachments:

Exhibit A: Major Amendment to BXPUD 17.04, Village of Scereno

**PLANNED UNIT DEVELOPMENT
BXPUD 17.04 Village**

**VILLAGE of SCERENO
BIXBY, OKLAHOMA**

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I. Development Concept

A Horizontal and Vertically Integrated Mixed-Use, 28.05 Acre, Master Planned —Development with buildings placed near the right-of-way resulting in a —pedestrian-oriented development.

Concept objectives:

- Principal plaza to follow the Classic Americana Downtown Square pattern.
- Create Public gathering spaces
- Meandering main street or “spine” with three points of access to existing City streets.
- Shared off-site parking

Legal Description:

ALL OF BIXBY CENTENNIAL PLAZA, A SUBDIVISION OF THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

LESS AND EXCEPT

THE NORTH ONE HUNDRED FIFTY-EIGHT AND FORTY-TWO HUNDRETHS (158.42) FEET OF LOT FIVE (5), BLOCK ONE (1), BIXBY CENTENNIAL PLAZA, A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF:

AND ALSO, LESS AND EXCEPT

THE SOUTH TWO HUNDRED SIXTY-FOUR (264) FEET OF LOT EIGHT (8), BLOCK ONE (1), BIXBY CENTENNIAL PLAZA, A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF:

AND ALSO, LESS AND EXCEPT

LOT NINE (9), BLOCK ONE (1), BIXBY CENTENNIAL PLAZA, A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF:

AND ALSO, LESS AND EXCEPT

THE SOUTH TWO HUNDRED SIXTEEN (216.00) FEET OF LOT SIX (6), BLOCK ONE (1), BIXBY CENTENNIAL PLAZA, A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

Exhibit A
Vicinity Map

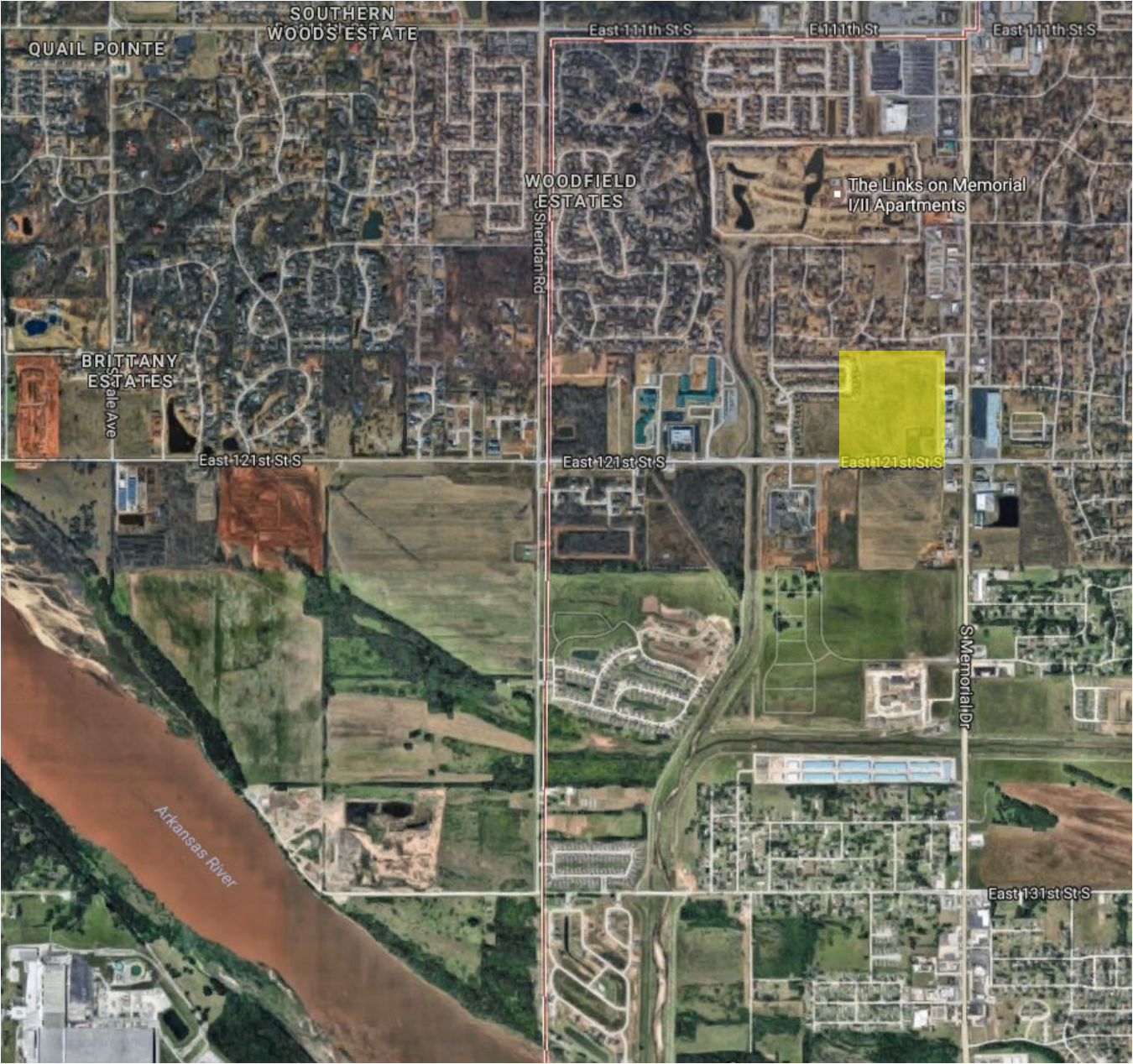


Exhibit B
Aerial Photo



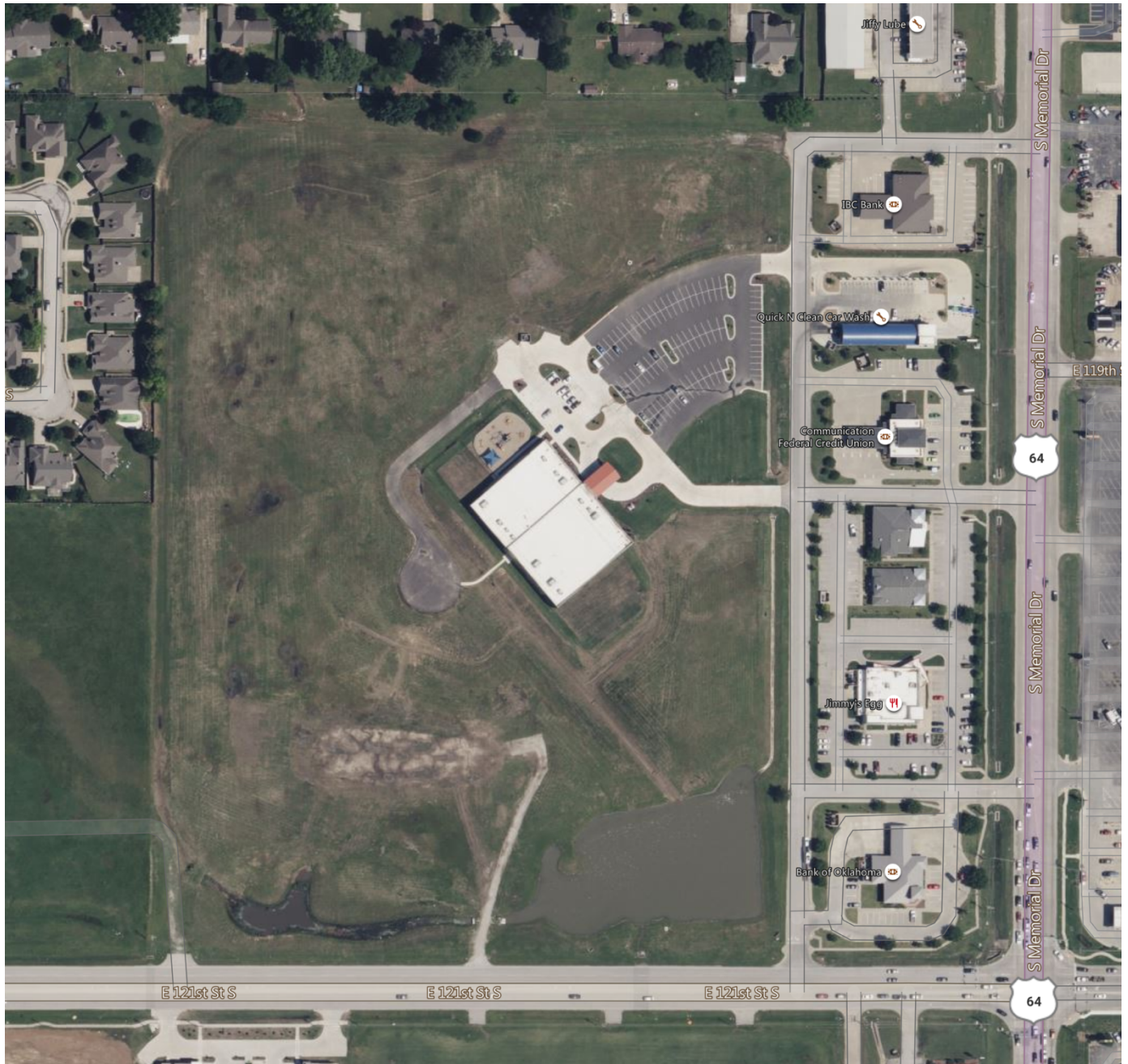


Exhibit C
Overall Concept Plan

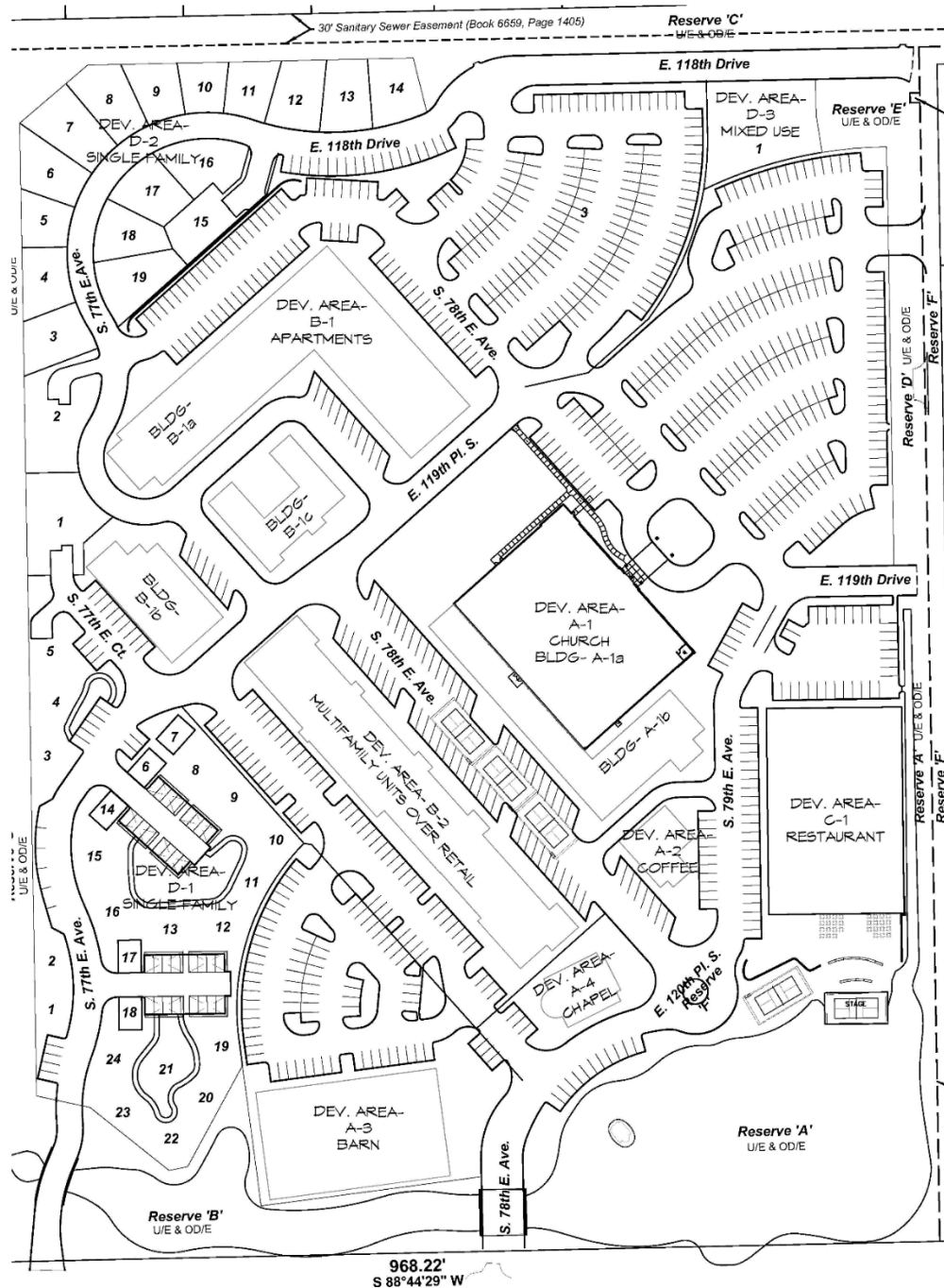


Exhibit D
Current Zoning Map

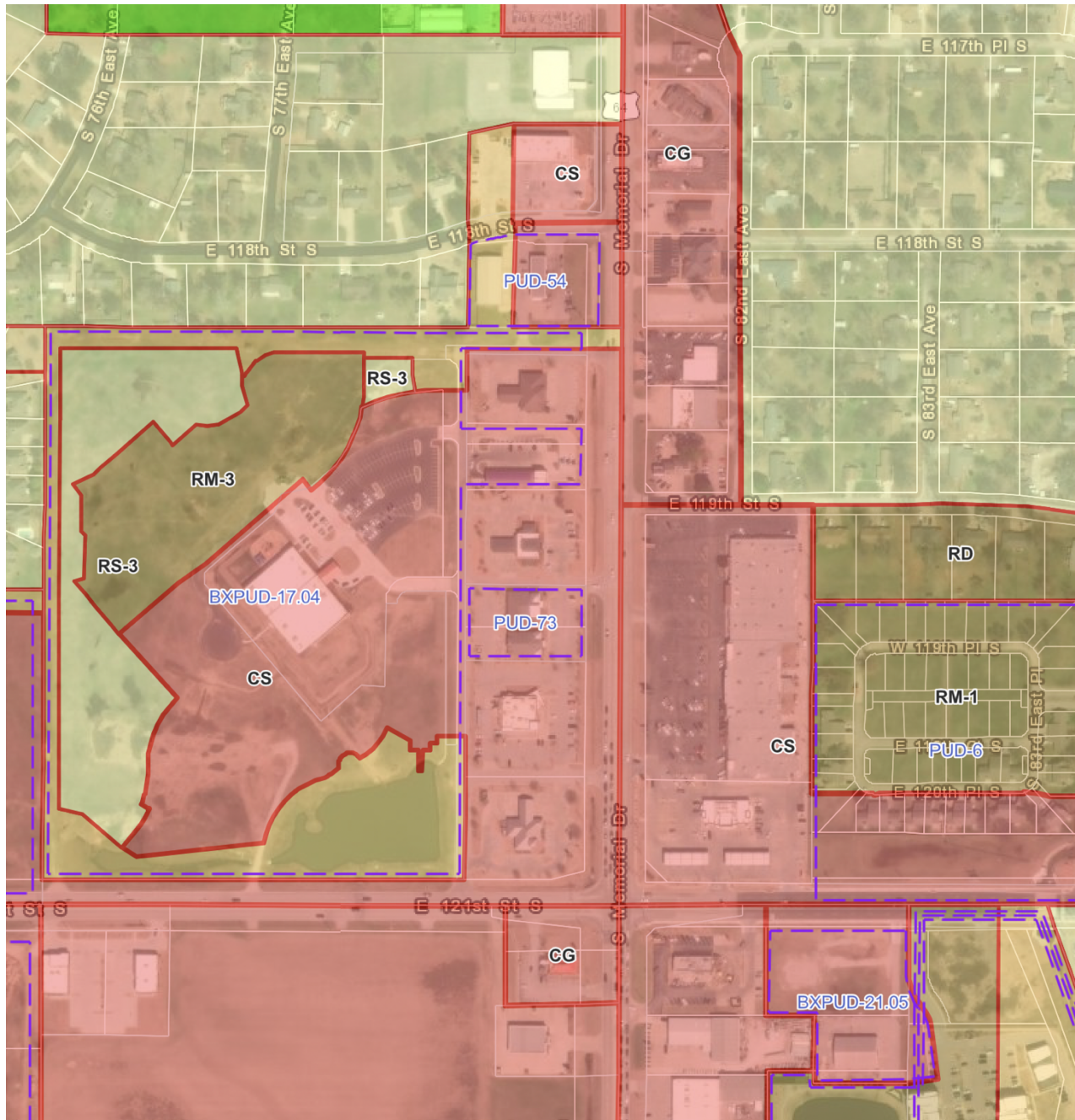
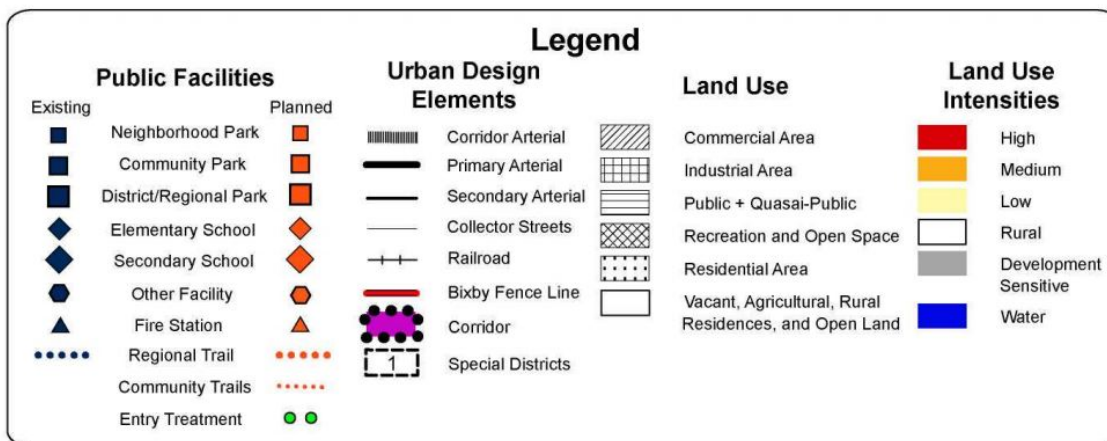


Exhibit E
Bixby Comprehensive Plan



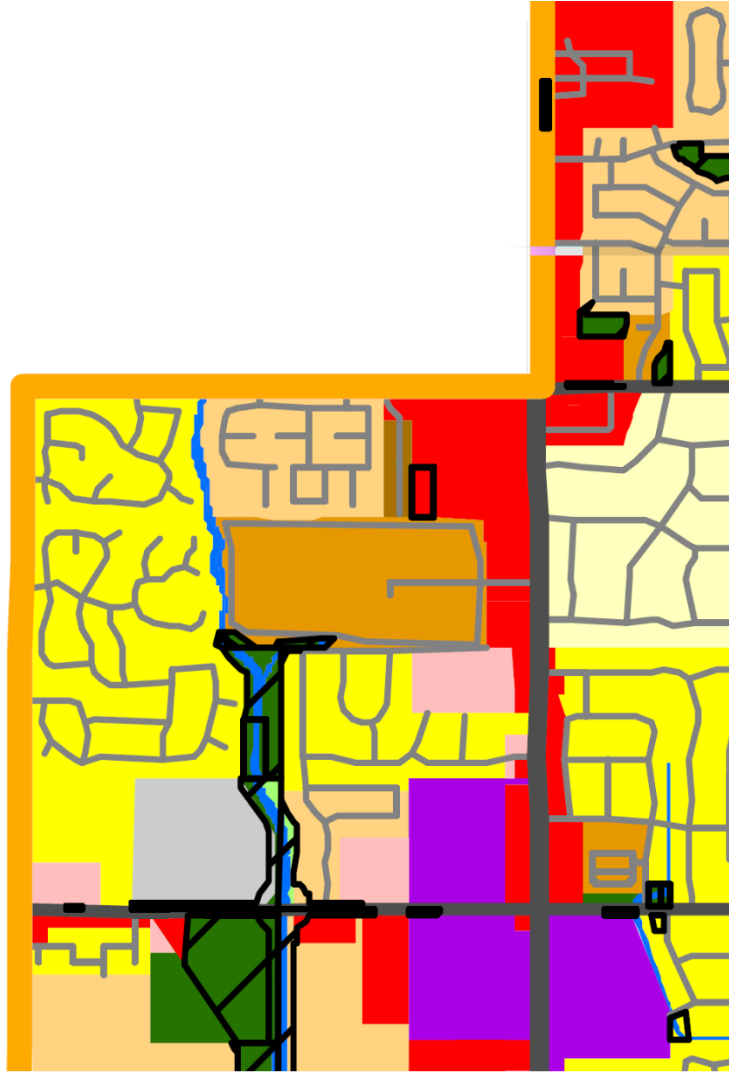
City of Bixby Comprehensive Plan

COMPREHENSIVE LAND USE PLAN 2001-2020



111 St

121 St



Legend

Future Land Use

	Rural Agriculture (Unincorporated)
	Agricultural
	Rural Residential
	Low Density Residential
	Medium Density Residential
	Medium-High Density Residential
	High Density Residential
	Mixed Use
	Residential Manufactured Home Park

Density (du/ac.)

0 - 0.5
0 - 1
0 - 1.5
1.5 - 4
4 - 6
6 - 10
10 +
10 +
8

Future Land Use

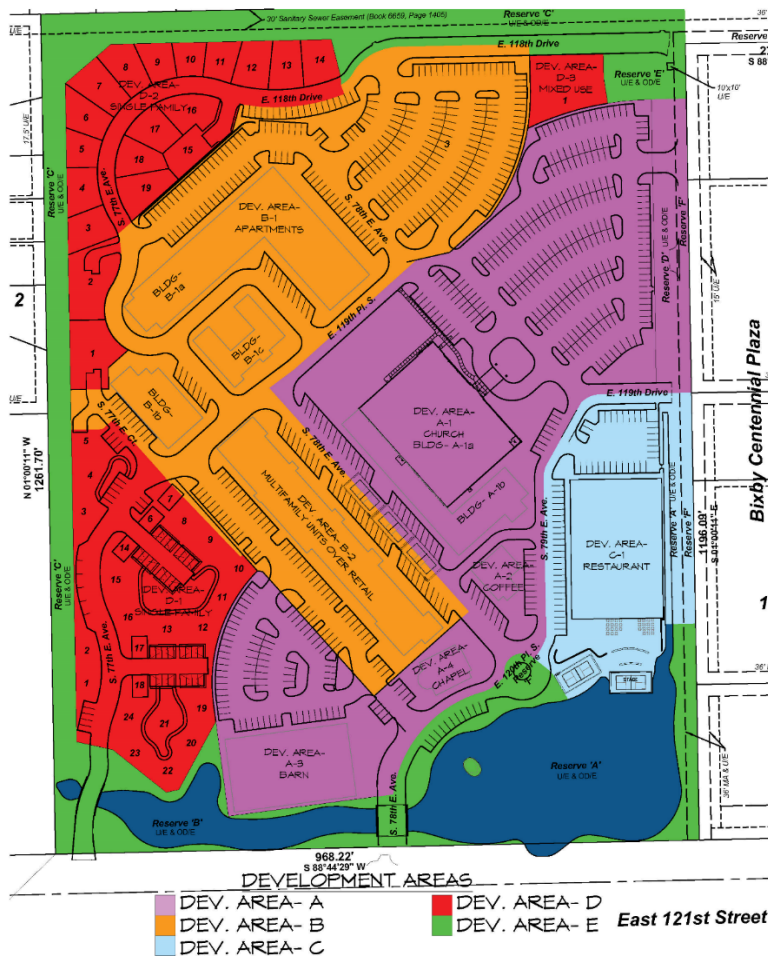
	Neighborhood Commercial
	Commercial
	Industrial
	Public/Institutional
	Recreation and Open Space
	Flood District
	Water

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

II. Development Standards

Development Areas Summary:

Area:	Use:	Square Feet	Acre(s)	% of Total	Zoning
A-1	Church	260,690 <u>243,105</u>	5.98	2158	
<u>20%</u>	CS				
A-2	Coffee	21,816 <u>20,963</u>	0.50	48	2%
	CS				
A-3	Barn	77,166 <u>70,100</u>	1.77	61	6%
	CS				
A-4	Chapel	16,310 <u>17,975</u>	0.37	41	1%
	CS				
B-1	Multi-Family/ Mix	210,658	4.84	17225,573	5.18
<u>18%</u>	RM-3				
B-2	Mixed Use	33,139	0.76	388,708	2.04
<u>7%</u>	CS				
B-3	Mixed Use	29,688	0.68	2%	CS
B-4	Mixed Use	26,434	0.61	2%	CS
C-1	Restaurant	59,563	1.37	590,985	2.09
<u>7%</u>	CS				
D-1	Single Family	108,434 <u>99,961</u>	2.49	929	
<u>8%</u>	RS-3				
D-2	Single Family	95,112 <u>87,238</u>	2.18	800	
<u>7%</u>	RS-3				
D-3	Single Family <u>Mixed Use</u>		10,079	0.23	1%
RSRM-3					
E-1	Open Space	272,707 <u>266,851</u>	6.26	13	22%
<u>OL</u>					
Totals		1,221, 796 <u>538</u>	28.05	04	100%



Development Standards- Dev. Area A-1:

The Bridge Church sanctuary and supporting buildings for offices and classrooms.

Gross Lot Area: ~~260,690~~243,105 sq. ft. ~~5.98~~5.8 acres

Zoning: CS

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6).

“Stacking” of uses customarily found in a mixed-use development shall also be allowed.

- Use Unit 5: Community Services and Similar Uses
- Use Unit 10: Off Street Parking Areas
- Use Unit 11: Offices and Studios
- Use Unit 14: Shopping Goods and Services

Maximum Building Square Footage: 130,345122,553 sq. ft.

Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

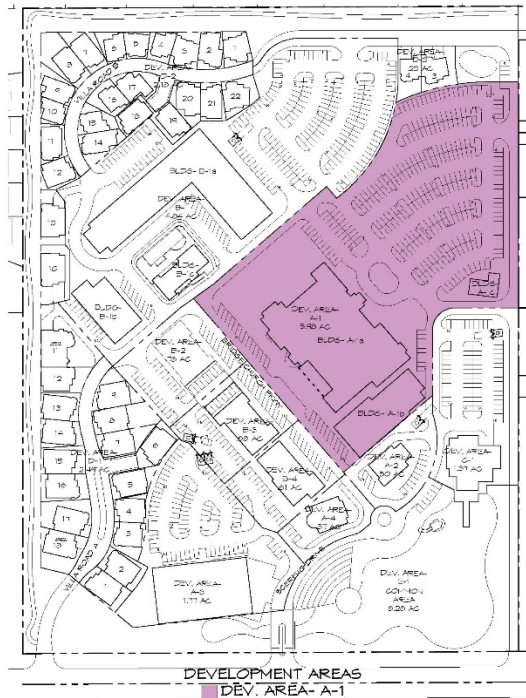
Minimum Building Setbacks:

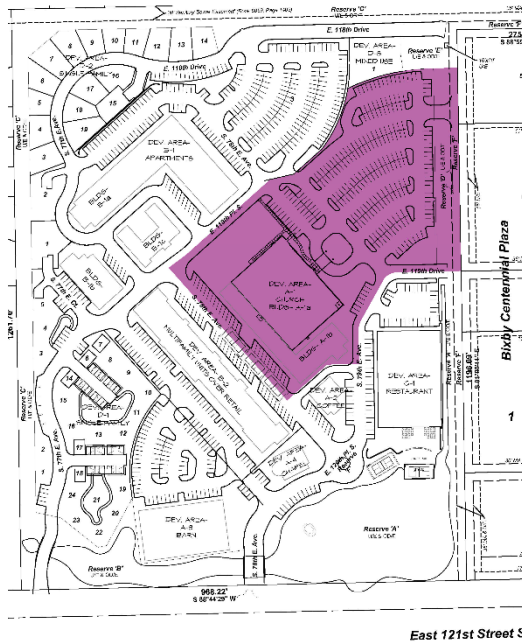
Minimum front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

Maximum Building Height: **Typical:** 4-story/ 60' height.

Church Sanctuary Theater: 3-story/ 70' height

Screening: No internal screening of differing uses within the boundaries of the PUD is required.





Development Standards- Dev. Area A-2:

A Coffee shop with Drive-thru service.

Gross Lot Area: **21,816**~~20,963~~ sq. ft. 0.~~5048~~ acres

Zoning: CS

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6).

“Stacking” of uses customarily found in a mixed-use development shall also be allowed.

Use Unit 5: Community Services and Similar Uses

Use Unit 10: Off Street Parking Areas

Use Unit 11: Offices and Studios

Use Unit 12: Eating Places Other than Drive-Ins

Use Unit 13: Convenience Goods and Services

Use Unit 14: Shopping Goods and Services

Maximum Building Square Footage: 10,~~908~~**482** sq. ft.

Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

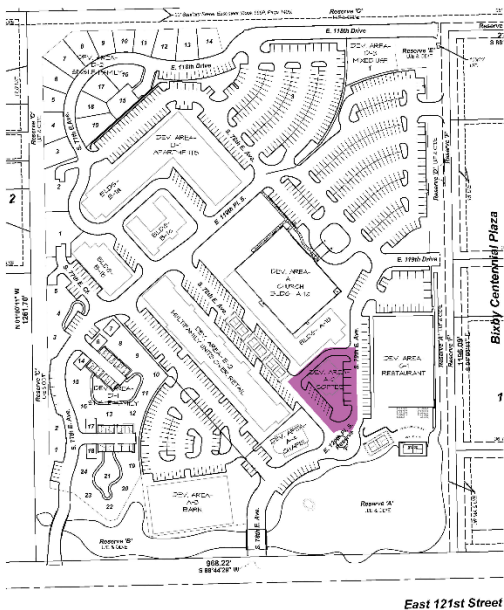
Minimum Building Setbacks:

Minimum front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

Maximum Building Height: 2-story/ 45' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required.



Development Standards- Dev. Area A-3:

The Barn is a 10,000 square foot multi-use facility available for community events.

Gross Lot Area: 77,16670,100 sq. ft. 1.7761 acres
Zoning: CS
Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6).

“Stacking” of uses customarily found in a mixed-use development shall also be allowed.

Use Unit 5: Community Services and Similar Uses

Use Unit 10: Off Street Parking Areas

Use Unit 12: Eating Places Other than Drive-Ins

Use Unit 13: Convenience Goods and Services

Use Unit 14: Shopping Goods and Services

Maximum Building Square Footage: 38,58335,050 sq. ft.

Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

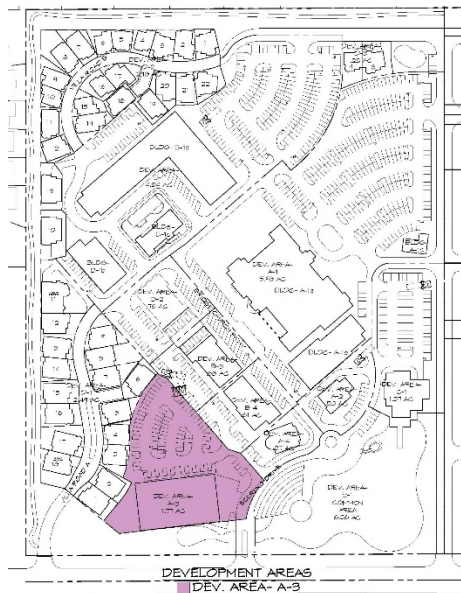
Minimum Building Setbacks:

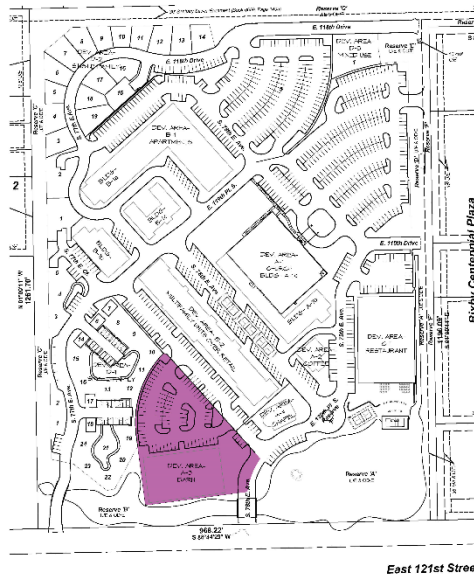
Minimum front, side, and rear yards shall not be required, except that buildings along South 121st East Street shall be setback a minimum of 20 feet

Maximum Building Height: 2-story/ 45' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required.





Development Standards- Dev. Area A-4:

The Chapel is an intimate worship space available for weddings, funerals or other gatherings and will typically be used by the Youth Group of the Bridge Church.

Gross Lot Area: ~~16,310~~17,975 sq. ft. 0.~~37~~41 acres

Zoning: CS

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6).

“Stacking” of uses customarily found in a mixed-use development shall also be allowed.

Use Unit 5: Community Services and Similar Uses

Use Unit 10: Off Street Parking Areas

Use Unit 12: Eating Places Other than Drive-Ins

Use Unit 13: Convenience Goods and Services

Use Unit 14: Shopping Goods and Services

Maximum Building Square Footage: 8,~~455~~988 sq. ft.

Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

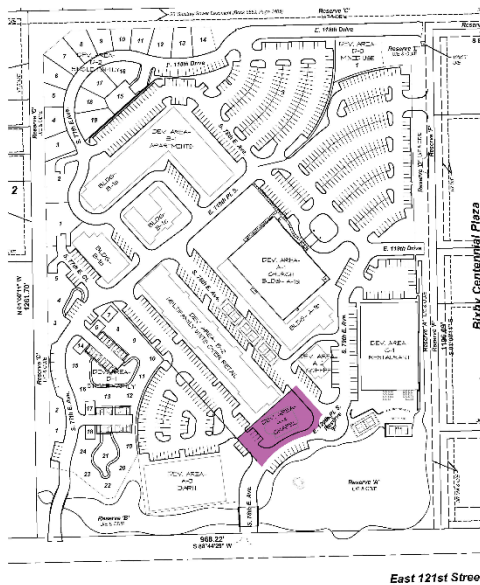
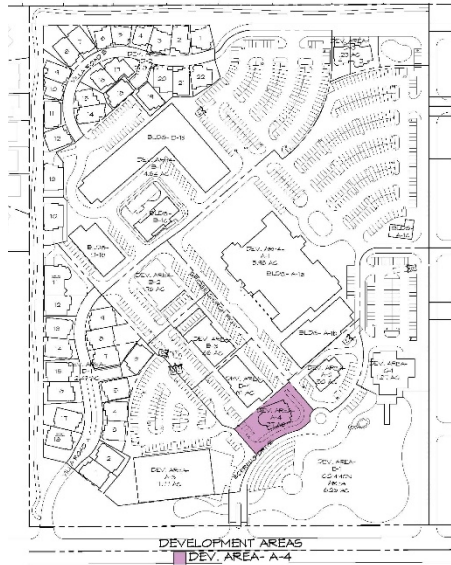
Minimum Building Setbacks:

Minimum front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

Maximum Building Height: 2-story/ 45' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required.



Development Standards- Dev. Area B-1:

A Multi-family facility with areas available for lease to Retail and Office users. 1st floor spaces shall be used as Retail for a minimum 12 months from issuance of 1st Building Permit within the B-1 Development Area.

The clubhouse will be designed to mimic a traditional downtown courthouse.

An elevator shall be provided in Bldg. B1-a.

A Certificate of Occupancy cannot be issued for Bldg. B-1a until the foundations for Lots 10, 11, 12, and 13 of Block D-2 have begun construction.

Gross Lot Area:

240,658,225.573 sq. ft.

4.845.18 acres

Zoning: RM-3

Number of Units: Maximum ~~420~~160 units

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6). "Stacking" of uses customarily found in a mixed-use development shall also be allowed.

Use Unit 8: Multi-Family Dwelling and Similar Uses

Use Unit 10: Off Street Parking Areas

Use Unit 11: Offices and Studios

Use Unit 13: Convenience Goods and Services

Use Unit 14: Shopping Goods and Services

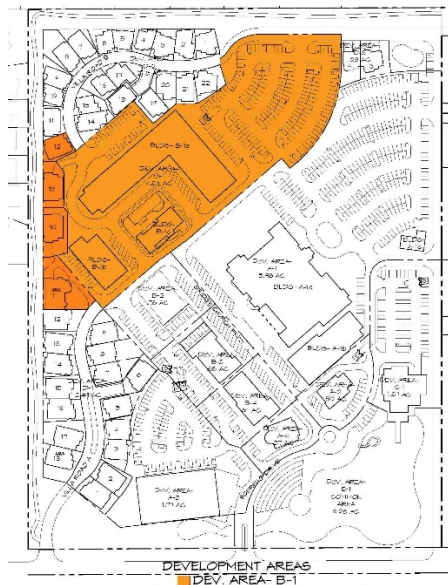
Land area per dwelling unit (minimum square feet): 1,~~742~~410 s.f./ Unit

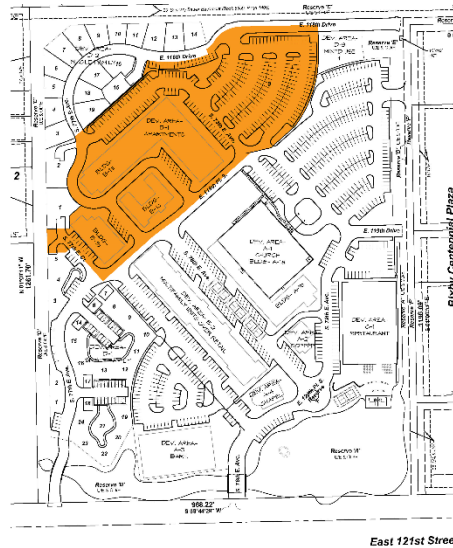
Minimum Building Setbacks:

Minimum front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

Maximum Building Height: 3-story/ 48' height.

Screening: No internal screening of differing uses within the boundaries of the PUD is required.





Development Standards- Dev. Areas Area B-2, B-3 and B-4:

A series of mixed-use buildings with residential units and commercial lease spaces. Retail is to be a priority for 1st floor spaces. The buildings will be designed to mimic a traditional downtown main street. Maximum of 3090 residential units.

Gross Lot Areas:

Dev. Area B-2: 33,13988,708 sq. ft. 0.762.04 acres

~~Dev. Area B-3: 29,688 sq. ft. 0.68 acres~~

~~Dev. Area B-4: 26,434 sq. ft. 0.61 acres~~

Zoning: CS

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6).

“Stacking” of uses customarily found in a mixed-use development shall also be allowed.

- Use Unit 5: Community Services and Similar Uses
- Use Unit 8: Multi-Family Dwelling and Similar Uses
- Use Unit 10: Off Street Parking Areas
- Use Unit 11: Offices and Studios
- Use Unit 12: Eating Places Other than Drive-Ins
- Use Unit 13: Convenience Goods and Services
- Use Unit 14: Shopping Goods and Services
- Use Unit XX: Hotel (Lobby satisfies 1st Floor Retail. Located at SE corner adjacent to A-4)

Maximum Building Square Footage:

Dev. Area B-2: 16,570 sq. ft.

~~Dev. Area B-3: 14,844 sq. ft.~~

~~Dev. Area B-4: 13,217 sq. ft.~~

Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

Development Standards- Dev. Areas Area B-2, B-3 and B-4: (cont.)

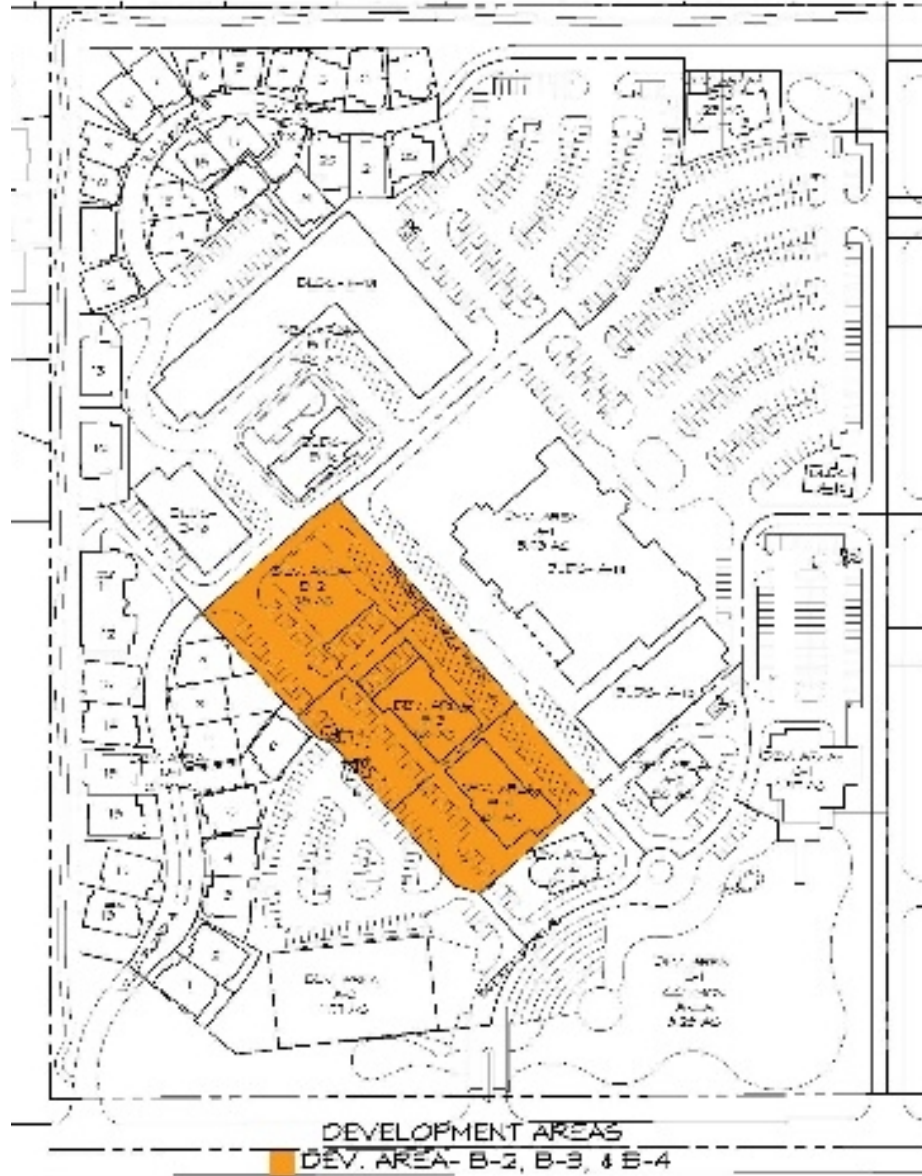
Minimum Building Setbacks:

Minimum front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

Maximum Building Height: 4-story/ 60' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required.



Development Standards- Dev. Area C-1:

A waterfront restaurant approximately 8,50030,000 square feet with patio seating and a pier.

Gross Lot Area: 59,56390,985 sq. ft. 1.372.09
acres

Zoning: CS

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6).

“Stacking” of uses customarily found in a mixed-use development shall also be allowed.

Use Unit 5: Community Services and Similar Uses

Use Unit 10: Off Street Parking Areas

Use Unit 12: Eating Places Other than Drive-Ins

Use Unit 13: Convenience Goods and Services

Use Unit 14: Shopping Goods and Services

Maximum Building Square Footage: 29,78245,493 sq. ft.

Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

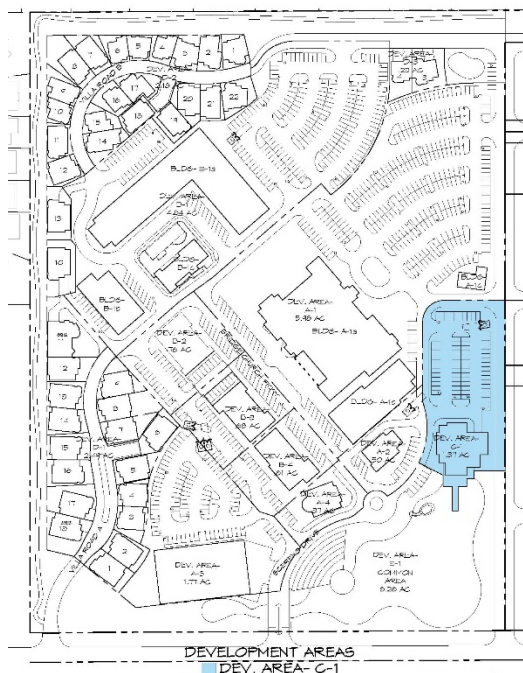
Minimum Building Setbacks:

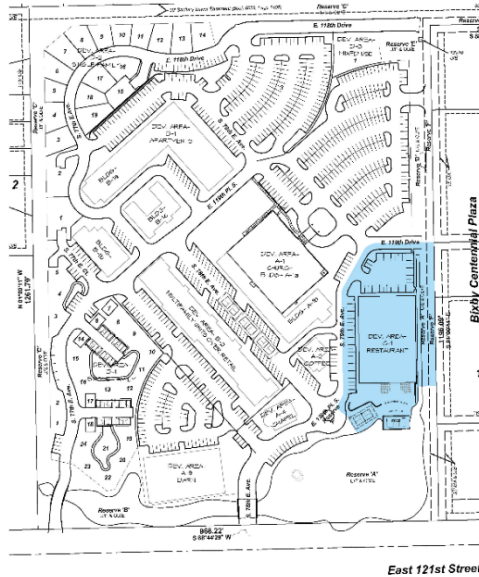
Minimum front, side, and rear yards shall not be required, except that buildings along South 121st East Street shall be setback a minimum of 20 feet

Maximum Building Height: Main Bldg: 2-story/ 38' height.
Water Tower: 70' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required.





Development Standards- Dev. Areas D-1, D-2, D-3:

Single-Family, attached and D-3: detached homes designed to mimic an old-world village. All lighting shall be shielded to avoid light spillage across property lines. Landscaping shall be well maintained, and replaced as required.

~~Single-Family, attached and detached homes designed to mimic an old-world village. Each façade shall be different on every unit.~~

~~All lighting shall be shielded to avoid light spillage across property lines.~~

~~Landscaping shall be well maintained, and replaced as required.~~

Gross Lot Area:

Dev. Gross Lot Area:

Dev. Area D-1: 108,434 99,961 sq. ft. 2.4929 acres

Zoning:

Dev. Area D-2: 95,112 sq. ft. 2.18 acres

Dev. Area D-3: 10,079 sq. ft. 0.23 acres

Zoning¹: RS-3

Permitted Uses:

Use Unit 6: Single-Family Dwelling

Use Unit 7: Duplex Dwelling

Use Unit 7a: Townhouse Dwelling

Use Unit 10: Off Street Parking Areas

Minimum Lot Area:

4,000 sq. ft.

Minimum Dwelling Unit Square Footage:

1,700 800 sq. ft.

Minimum Building Setbacks:

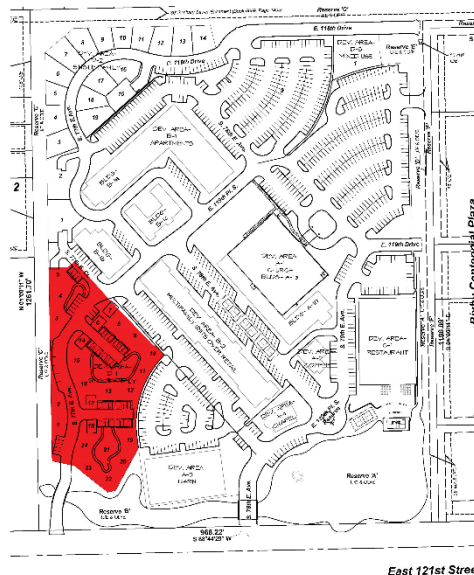
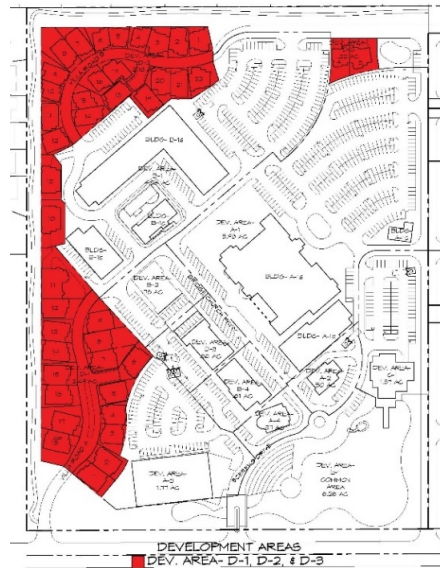
Minimum lot size, front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

A minimum 35' wide Landscape buffer is provided by Development Area E along the North and West property boundaries.

Maximum Building Height: 2-story/ 38' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required. A 59" high, open metal fence with min. 1" pickets at max. 4" o.c. will be provided along the West property lines of the D-1 ~~and D-2~~ Development ~~Areas~~Area.



Development Standards- Dev. Areas D-2:

Single-Family, attached and detached homes designed to mimic an old-world village. Each façade shall be different on every unit.

All lighting shall be shielded to avoid light spillage across property lines.
Landscaping shall be well maintained, and replaced as required.

Gross Lot Area:

Dev. Area D-2: 87,238 sq. ft. 2.00 acres

Zoning:

Dev. Area D-2: RS-3

Permitted Uses:

Use Unit 6: Single-Family Dwelling

Use Unit 7: Duplex Dwelling

Use Unit 7a: Townhouse Dwelling

Use Unit 10: Off Street Parking Areas

Minimum Lot Area: 4,000 sq. ft.

Minimum Dwelling Unit Square Footage: 1,500 sq. ft.

Minimum Building Setbacks:

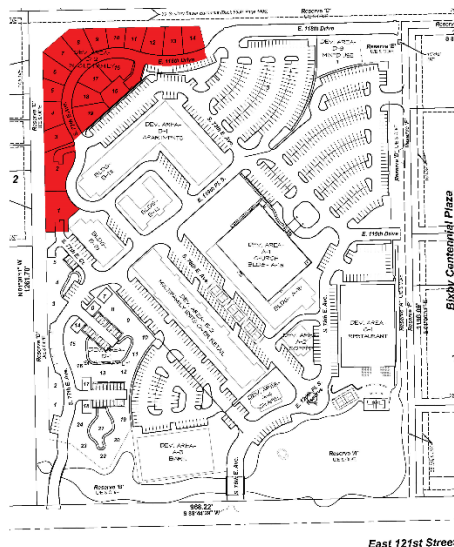
Minimum lot size, front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

A minimum 35' wide Landscape buffer is provided by Development Area E along the North and West property boundaries.

Maximum Building Height: 2-story/ 38' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required. A 59" high, open metal fence with min. 1" pickets at max. 4" o.c. will be provided along the West property lines of the D-2 Development Area.



Development Standards- Dev. Areas D-3:

Mixed-use buildings with residential units and commercial lease spaces.
Retail is to be a priority for 1st floor spaces. The buildings will be designed to
mimic a traditional downtown main street. Maximum of 2 residential units.
All lighting shall be shielded to avoid light spillage across property lines.
Landscaping shall be well maintained, and replaced as required.

Gross Lot Area:

Dev. Area D-3: 10,079 sq. ft. 0.23 acres

Zoning:

Dev. Area D-3: RM-3

Permitted Uses:

Use Unit 6: Single-Family Dwelling

Use Unit 7: Duplex Dwelling

Use Unit 7a: Townhouse Dwelling

Use Unit 10: Off Street Parking Areas

Use Unit 11: Offices and Studios

Use Unit 13: Convenience Goods and Services

Use Unit 14: Shopping Goods and Services

Minimum Lot Area: 4,000 sq. ft.

Minimum Dwelling Unit Square Footage: 1,500 sq. ft.

Minimum Building Setbacks:

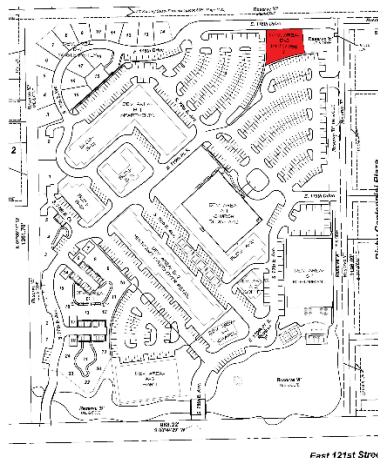
Minimum lot size, front, side, and rear yards shall not be required, except
that Non-Residential or mixed-use buildings located along the main street
shall have a front yard not exceeding 10 feet.

A minimum 35' wide Landscape buffer is provided by Development Area E
along the North and West property boundaries.

Maximum Building Height: 2-story/ 38' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is
required.



Development Standards- Dev. Area E-1:

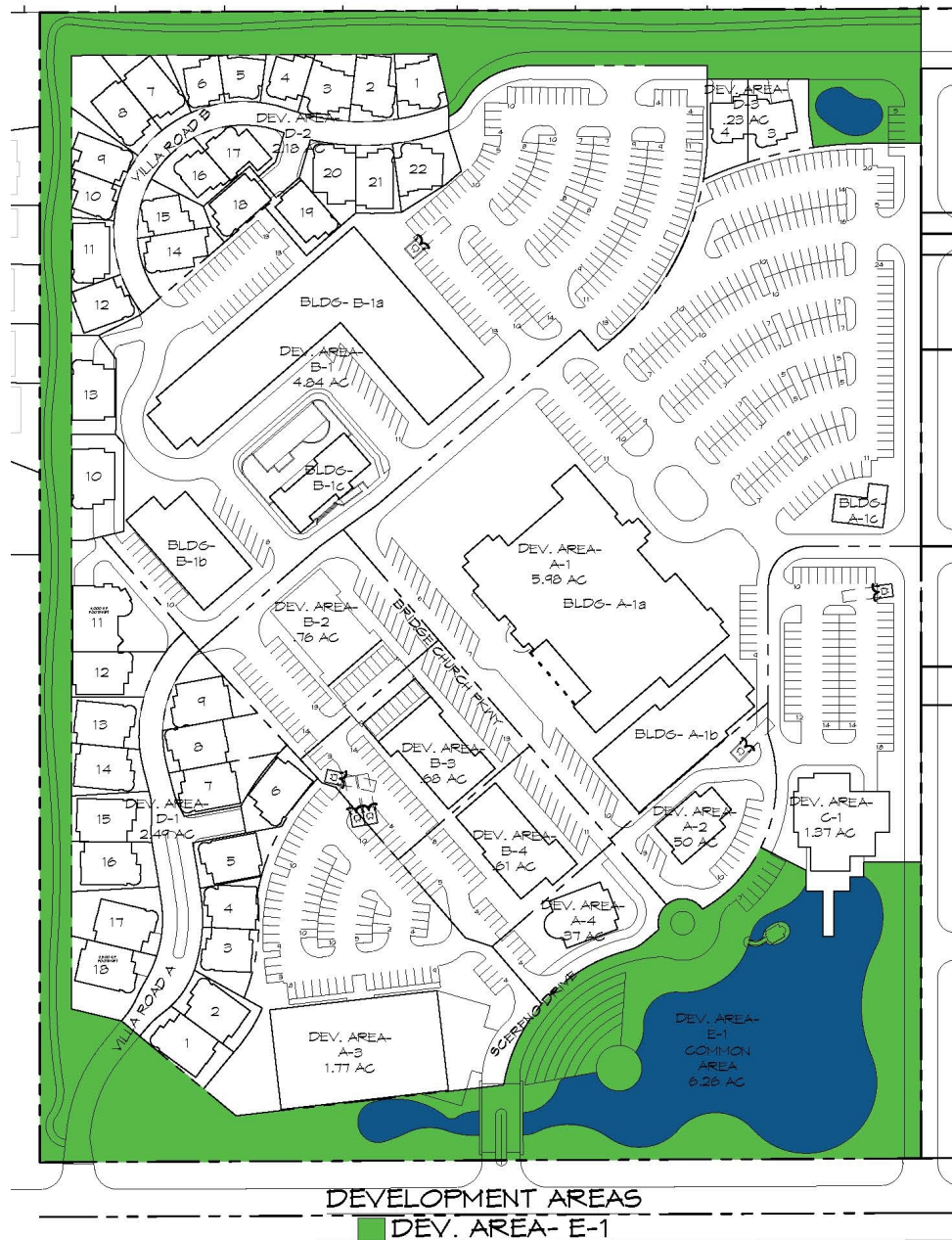
6.26 acres of landscaped area including the feature lake with an amphitheater, an open-air Chapel on an island for public use and hike and bike trails around the perimeter of the property to create a minimum 30' wide landscape buffer to the adjacent existing Single-Family homes.

Refer to Exhibit for acceptable Plants/ Trees.

All landscaping shall be well maintained and replaced as required.

Maintenance of Dev. Area E-1 shall be the responsibility of the HOA.

Gross Lot Area: 272,707266,851 sq. ft. 6.2613 acres





III. General Provisions and Development Standards

A. Landscaping:

1. To retain authenticity to a small village, private streets, plazas, gathering areas, alleys and/or pedestrian access corridors within the Property shall provide a minimum 10% landscape area and will submit a landscape plan during the detailed site plan process.
2. Artificial plants shall be strictly prohibited.
3. Landscaping shall utilize plants listed in the PUD.

4. Permanent irrigation shall be provided for all landscaping as follows:
 - a. Irrigation lines for perimeter landscaping identified in (a) above, shall be placed a minimum of 2.5 feet from a City sidewalk or alley. Reduction of this requirement is subject to review and approval by the City Engineer. Privately owned and operated irrigation lines shall not be located within a public easement.
 - b. Only bubbler-type irrigation lines shall irrigate trees and shrubs. Other landscaping may be irrigated by spray irrigation. Separate valves shall be provided to turn off the spray irrigation line during periods of drought or water conservation.
 - c. Rain, freeze, and wind detectors shall be installed on all irrigation lines.
 - d. Automatic irrigation systems shall be operated between the hours of 6:00 p.m. and 10:00 a.m. to reduce loss of water to evaporation and wind.
5. A minimum 30' wide landscape buffer will be provided along the West and North property lines adjacent to the existing Single-Family homes.

B. Screening:

1. Service equipment (including HVAC equipment) and areas shall be screened so the visual impacts of these functions are fully contained and out of view from adjacent properties and public rights-of-way.
2. Screening materials for solid waste collection and loading areas shall be the same as the materials used for the principal building, or a six-foot tall solid masonry wall. Trash dumpsters shall have a door, which shall remain closed when not in use.

C. Lighting

1. All pole-mounted and building-mounted lighting shall be oriented to minimize light leaving the development.
2. All lights shall be designed or have the ability to control the light pattern to minimize the light leaving the site at the boundary of the development.
3. The mounting height of each fixture light shall not exceed 30' as measured from the pavement to the light fixture.

4. A maximum light level of .00 foot candles shall be obtained at the boundary of the Development. A photometric study will be provided to verify the .00 foot candle measurement at the property line.
5. All lights will face down and away from the boundary of the development.
6. Light fixtures must be period appropriate styles, ref. samples in the Design Guidelines.
7. If lighting is provided within the Landscape Buffer the fixtures will be ground or bollard mounted. Light sources shall not exceed 48" high. Illumination is to be kept to a minimum.

D. Signage:

Signs located on the Property shall be designed to be period appropriate and comply with the standards below. Signs shall be designed for visual communication and orientation to the pedestrians and slow-moving vehicular traffic crossing pedestrian sidewalks as follows:

1. Hanging or "blade" signs are permitted and shall be placed perpendicular to the façade, located above or adjacent to the entrance and visible to pedestrian circulation on adjacent sidewalks.
2. Canopy signs are permitted and shall be oriented perpendicular or parallel to the façade, typically located above or adjacent to the entrance and visible to pedestrian circulation on adjacent sidewalk.
3. All signs shall maintain a minimum clearance of eight feet above sidewalk level to the bottom of the sign.
4. Pole-mounted signs are prohibited and may only be used for public traffic, safety, transportation, and directional information purposes.
5. Billboards shall not be permitted within, or attached to, any structure.
6. Sandwich signs are permitted on sidewalks, provided that they are located adjacent to the building and are not located in, or block the sidewalk's five-foot wide clear zone.
7. With the exception of the sign standards outlined under this section, all signs must meet the criteria and compliance of the standards of the Sign Guidelines to be established as part of the Design Guidelines for the project.
8. Channel Letters and cabinet signs with or without internal illumination are prohibited.

E. Drainage:

The majority of the site will be graded to allow for surface water to drain directly to the improved tributary or be collected in an internal storm sewer system that will route it to the improved tributary. The final drainage and grading design will allow for an overland flow capacity capable of routing

discharges from the existing total retention facility within 121st Center across the site to the tributary. This will be designed in conformance with City of Bixby Engineering Design Criteria.

F. Vehicular and Pedestrian Access and Circulation:

1. All private driveway and/or street connections shall be subject to City Engineer curb cut and/or ODOT driveway permit approval for the proposed access points to Memorial Dr. (US Hwy 64) and 121st St. S., and the Fire Chief's and Fire Marshal's approval of locations, spacing, widths, and curb return radii.
2. Pedestrian connectivity will be provided by new sidewalks along all abutting public streets and all private streets as well as internal sidewalk circulation within the development. This sidewalk system will be designed to not only serve the immediate access issues to each building but also to serve as a walking trail system that will circulate throughout the property. All sidewalk layouts will be developed and presented in detail at the PUD detailed site plan submittal.

G. Parking:

1. Required parking for a particular use may be located and maintained anywhere within the Property.
2. On-street parking and shared parking located anywhere within the Property's boundaries may be counted towards meeting the parking requirements of any use.
3. The Owner is required to submit parking information with each building permit and shall maintain an ongoing count of parking spaces and the allocation of parking spaces toward a particular use.
4. Uses may share required parking spaces where the Owner can submit a shared parking analysis prepared by a professional engineer to the Director of Development Services demonstrating the feasibility of shared parking for multiple uses. The shared parking analysis shall address at a minimum the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing parking spaces.

5. As a condition of approval of shared parking, shared parking must result in a reduction of at least ten percent (10%) of the aggregate required parking for such uses.
6. Up to 50% of the parking spaces required for a theater or other place of evening entertainment (after 5:00 PM), or for a church, may be provided and used jointly by banks, offices, and similar uses not normally open, used, or operated during evening hours if specifically approved by the Director of Development Services.
7. Adequate public access to and from public rights-of-way via private drives and/or access easements shall be established for parking garages.
8. In no instance shall a parking structure be taller than the building to which it is closest. Notwithstanding, the maximum height for a parking structure shall be 50 feet.
9. Where parking garages are within view from streets, openings in parking garages shall not exceed 75% of the parking garage's façade. The portion of the parking garage that is visible from the street shall have an architecturally finished façade compatible with the surrounding buildings.
10. Entries and exits to and from parking structures shall be clearly marked for both vehicles and pedestrians by materials, lighting, signage, etc., to ensure pedestrian safety on sidewalks.

H. Detailed Site Plan Review

No building permit shall be issued until a detailed site plan is submitted to and approved by the Bixby Planning Commission and City Council in accordance with the City of Bixby Zoning Code. Any standard requirements of the City of Bixby Fire Chief, Fire Chief, City Engineer, and City Attorney shall be met as part of the PUD detailed site plan approval.

J. Requirement to Plat

No building permit shall be issued until:

1. A plat containing restrictive covenants memorializing the above development standards is prepared and filed in accordance with the City of Bixby Subdivision Regulations.
2. A Home Owners Association or similar agency is established.

K. Building Heights:

1. Architectural embellishments not intended for human occupancy that are integral to the architectural style of the buildings, including spires, belfries, cupolas, domes, and roof forms whose area in plan is no greater than 25% of the first-floor footprint may exceed the height limits by up to 20 feet.

2. No building on the Property shall be greater than four stories above grade or 70 feet.

L. Utilities:

All proposed utility lines shall be located underground.

M. Definitions:

1. Plaza: An open public area that is usually near city buildings and that often has trees and bushes and places to sit, walk, and shop. Similar in layout and design to a Classic American Downtown Square
2. Condominium flats: A unit within a multi-unit building or complex, which is individually owned and where the owner shares in joint ownership of any common grounds, passageways, etc. A condominium flat is not strictly intended for residential uses.
3. Artisan studios: A mixed commercial-residential space for sale or lease where the individual residing in a portion of the space also operates a store, studio or showroom at the front of the space. The individual operating the commercial use cannot be different from the individual residing in the space.

N. Emergency Vehicle Access:

Parking on-street is prohibited except where provided in approved public street construction drawings. A 24-foot wide drive aisle shall be maintained for emergency vehicles.

O. Visibility Triangles:

Adequate sight distance as approved by the City Engineer will be provided at all intersections through the use of appropriate traffic control devices. Visibility triangles at intersections and private driveways for vehicles exiting the Property shall be provided at intersections with South 121st East Street and other intersections identified during the Site Plan phase.

P. Sidewalk and Clear Zone:

1. A minimum five-foot wide sidewalk is required to be constructed and remain in place along the Main Street Plaza and collector roads.
2. Pedestrian amenities and streetscape features, such as planters, benches, trees, light poles, shall not encroach upon the dedicated five-foot wide sidewalk or "clear zone."

Q. Fencing:

1. Fencing shall be constructed of wrought iron, tubular steel or similar material, or masonry.
2. Fencing is allowed between the primary facade of the building and the property line.
3. Fencing is allowed to separate an outdoor eating area from the Main-street sidewalk if the five-foot wide “clear zone” walk path is maintained.

R. Review of Construction Drawings:

In order to review site and building construction drawings for compliance with this PUD:

1. The Owner shall provide a Preliminary Site Plan for each building permit application demonstrating that the development meets the conditions of this PUD ordinance.
2. The Owner shall submit a final façade plan with a Final Site Plan for each building permit application to ensure that the minimum standards of this ordinance are met. The purpose of the façade plan is to ensure consistency and compatibility for all buildings within the development.
3. The Owner shall submit additional details as deemed necessary by City review staff, including, but not limited to, façade plans of buildings within 100 feet of the building under review.

S. Procedures and Criteria for Alternative Compliance:

1. Alternative compliance is a procedure that allows development to occur where the intent of the PUD and this PUD ordinance is met through an alternative design. It is not a general waiver of regulations. Rather, it permits a site- specific plan to incorporate an alternative design that is equal to or better than the strict application of a design standard in meeting the intent of both the zoning district and the applicable standard.
2. If a concept plan or development plan is to include a request for approval of alternative compliance, a pre-submittal conference is required to determine the preliminary response from the Director of Development Services. Based on that response, the application for a conceptual plan or development plan shall include sufficient

explanation and justification, in both written and graphic form, for the alternative compliance requested.

3. A request for approval of alternative compliance may include proposed alternatives to one or more design standards. To grant a request for alternative compliance the following criteria must be met:
 - a. The proposed alternative achieves the intent of the subject design standard to the same or better degree than the subject standard.
 - b. The proposed alternative achieves the mixed-use goals and policies in the PUD and this PUD ordinance to the same or better degree than the standard.
 - c. The proposed alternative benefits the community and is equivalent to, or better, than compliance with the design standard.
4. Alternative compliance shall apply to the specific site for which it is requested and does not establish a precedent for assured approval of other requests, or the entire development plan, or future developments.

IV. Building Design Standards

A. Building Exterior Façade Materials:

1. Stone will be the predominate façade material, and only durable materials such as clay fired brick, natural and manufactured stone, granite, marble, and traditional 3-coat stucco shall be considered primary materials. Native Oklahoma stone materials shall be of primary consideration in the building material selection process.
2. Primary materials shall comprise at least 80% of the façade of each floor, exclusive of doors and windows.
3. Only primary building materials are allowed on the first-floor facades, exclusive of doors, windows, and their accompanying frames. For the purposes of this section, the first-floor height shall be at least nine feet.
4. Secondary materials used on a building façade are those that comprise less than a total of 20% of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, cedar or similar quality decorative wood, or other materials as approved by the MARC.

5. Four-Sided Building Design: All buildings shall be architecturally finished on all sides with the same materials, detailing, and features, except A-1. Where a façade is screened from public view, the architectural finish must match the remainder of the building in color only.
6. Flat roof buildings shall have a parapet.

B. Building Entries:

1. Main entries to buildings shall be highlighted using such techniques as building articulation and/or entry canopies so they are obvious to pedestrians and motorists.
2. Each building and separate lease space at grade shall have a functioning "Primary Entry" from the sidewalk along the street frontage. Corner entries may count as a Primary Entry for both intersecting street fronts.

C. Awnings, Canopies, Arcades and Overhangs:

1. Structural awnings are encouraged at the ground level to enhance articulation of the building volumes.
2. The material of awnings and canopies shall complement the building.
3. Canopies and awnings shall respect the placement of street trees and lighting.
4. All large canopies, i.e. gas stations, banks, etc., that require structural columns for support shall have a minimum six feet masonry or ornamental iron/steel (or other approved material) finish measured from the finished grade. Materials used on columns and canopies shall complement the building.

D. Building Articulation:

1. The first floor of a building where retail or service uses take place shall be accentuated by awnings or canopies, different building materials, or other architectural features.
2. For at least every 100 feet of building façade length, building facades fronting streets and private drives shall have massing changes and architectural articulation to provide visual interest and

texture and to reduce large areas of undifferentiated building façade. Design articulation should not apply evenly across the building façade, but should be grouped for greater visual impact employing changes in volume and plane. Architectural elements including projecting volumes, windows, balconies, loggias, canopies, pediments, and moldings that break up the mass of the building are encouraged.

V. Expected Schedule of Development

A. Construction shall commence within 24 months from the date the PUD is approved by City Council.

~~B. Development Area A-Anticipated development schedule is as follows:~~

~~B. B-1, AB-2, A-3 and A-4: 2017~~

~~C. Development Area B-2, B-3 and B-4: 2018~~

~~D.C. Development Area DC-1, D-1, D-2, and D-3: 2018~~ 2023/24

~~E. Development Area B-1: 2019~~

a. A-2, A-3, A-4: 2024/25

Exhibit E
Example Images for Classic Americana Downtown Buildings



Exhibit E (cont.)
Example Images for Classic Americana Downtown Buildings





**PLANNED UNIT DEVELOPMENT
BXPUD 17.04 Village**

**VILLAGE of SCERENO
BIXBY, OKLAHOMA**

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I. Development Concept

A Horizontal and Vertically Integrated Mixed-Use, 28.05 Acre, Master Planned Development with buildings placed near the right-of-way resulting in a pedestrian-oriented development.

Concept objectives:

- Principal plaza to follow the Classic Americana Downtown Square pattern.
- Create Public gathering spaces
- Meandering main street or “spine” with three points of access to existing City streets.
- Shared off-site parking

Legal Description:

ALL OF BIXBY CENTENNIAL PLAZA, A SUBDIVISION OF THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

LESS AND EXCEPT

THE NORTH ONE HUNDRED FIFTY-EIGHT AND FORTY-TWO HUNDRETHS (158.42) FEET OF LOT FIVE (5), BLOCK ONE (1), BIXBY CENTENNIAL PLAZA, A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF:

AND ALSO, LESS AND EXCEPT

THE SOUTH TWO HUNDRED SIXTY-FOUR (264) FEET OF LOT EIGHT (8), BLOCK ONE (1), BIXBY CENTENNIAL PLAZA, A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF:

AND ALSO, LESS AND EXCEPT

LOT NINE (9), BLOCK ONE (1), BIXBY CENTENNIAL PLAZA, A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF:

AND ALSO, LESS AND EXCEPT

THE SOUTH TWO HUNDRED SIXTEEN (216.00) FEET OF LOT SIX (6), BLOCK ONE (1), BIXBY CENTENNIAL PLAZA, A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

Exhibit A Vicinity Map

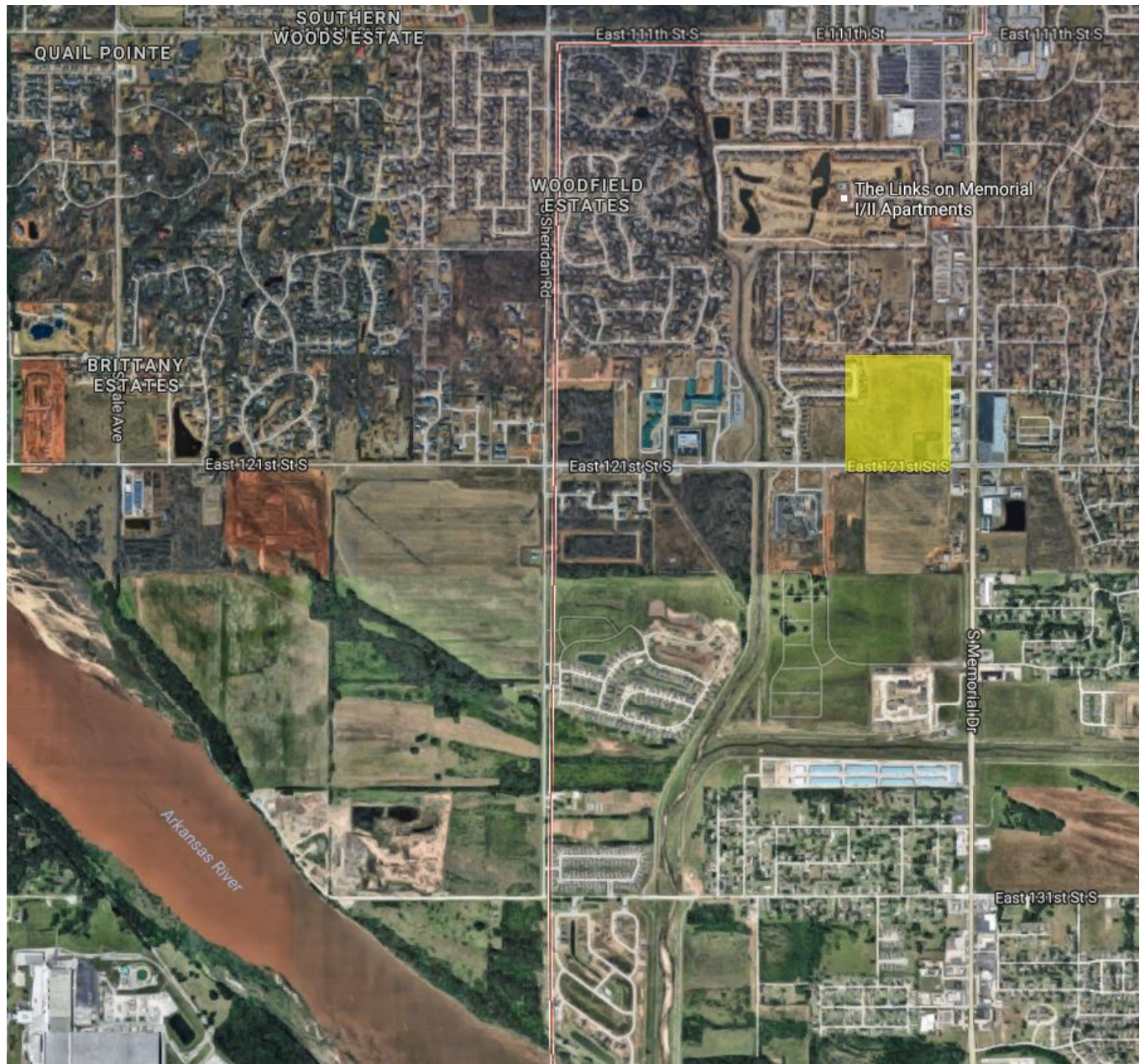


Exhibit B
Aerial Photo

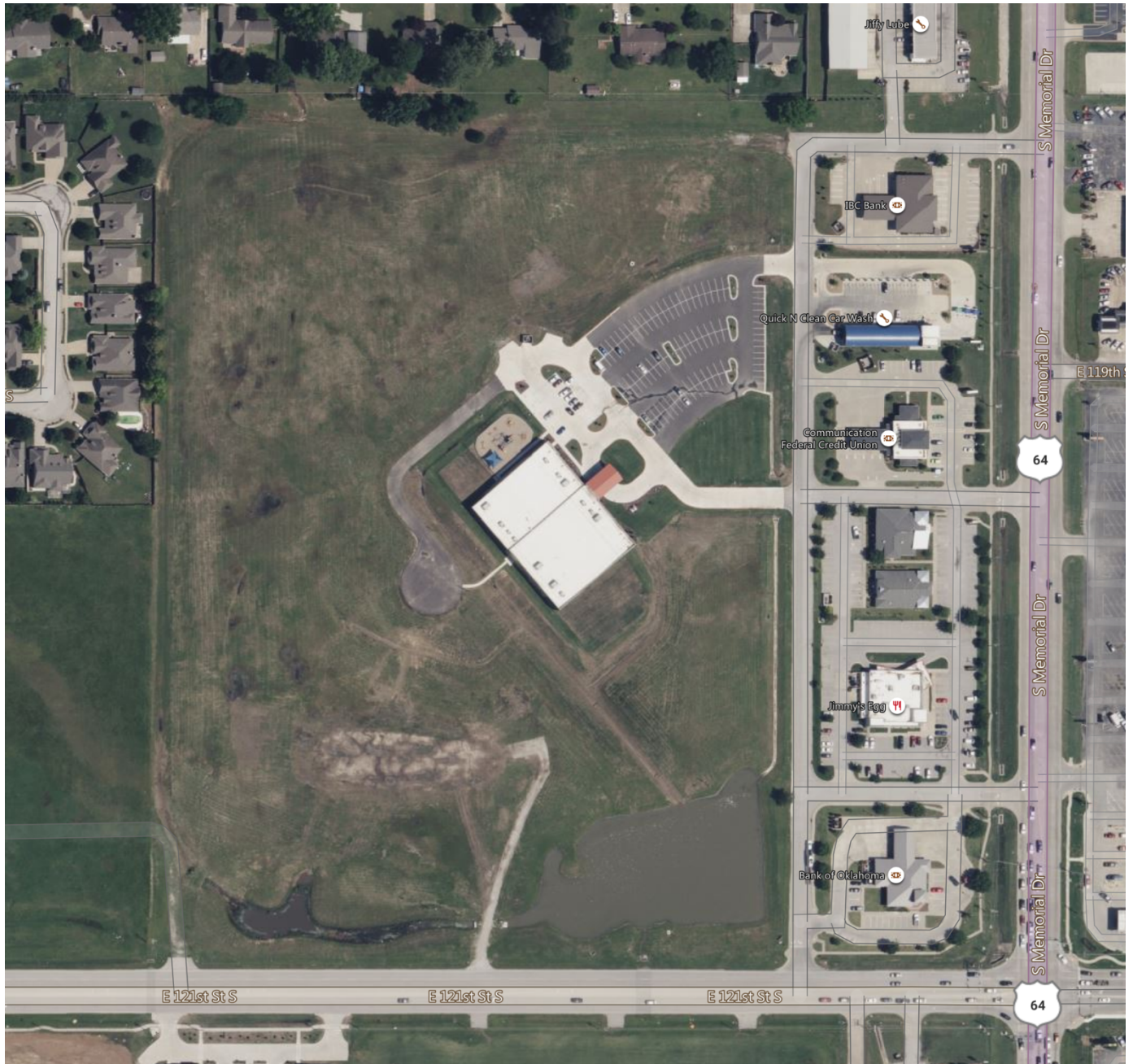
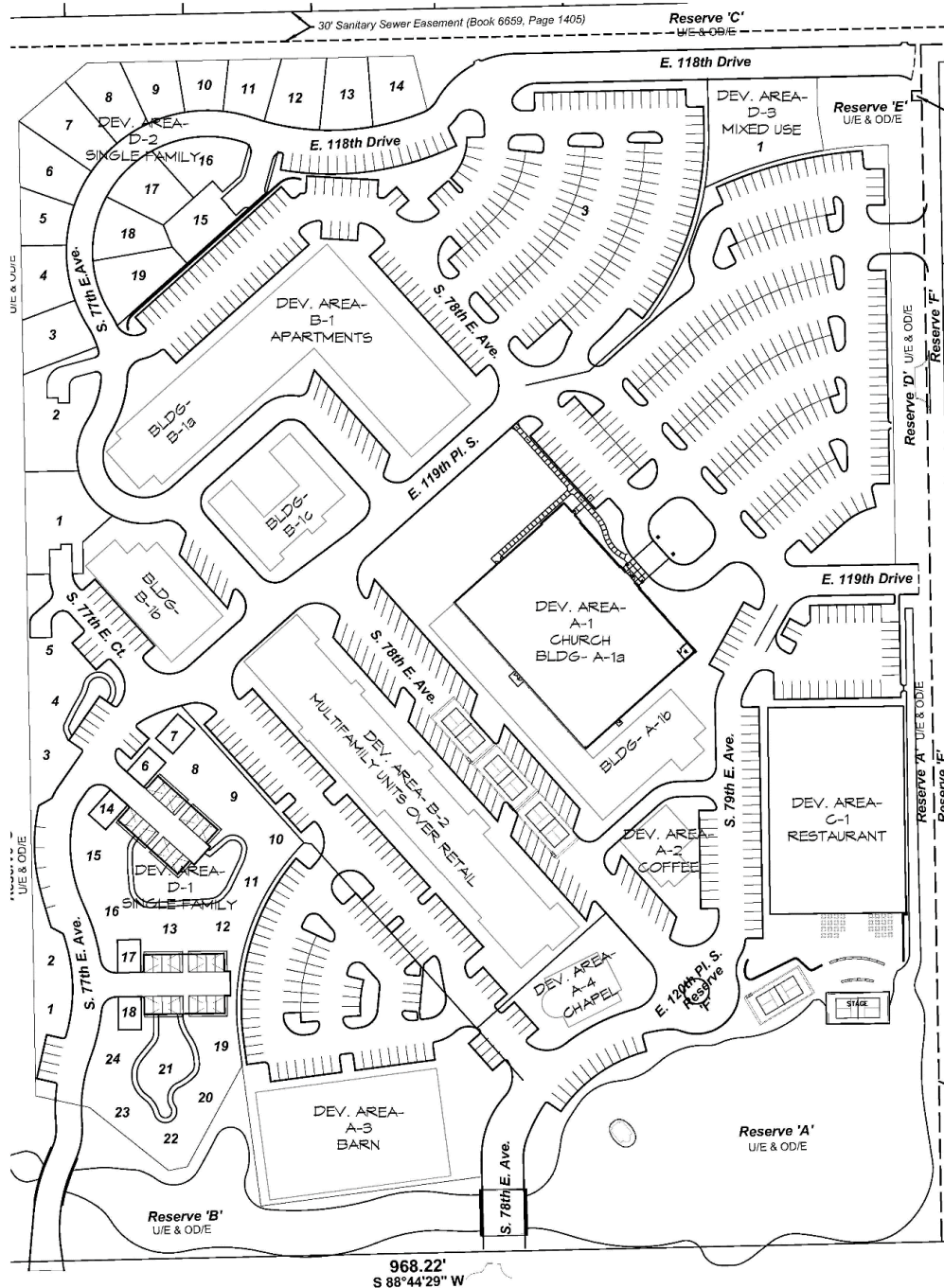
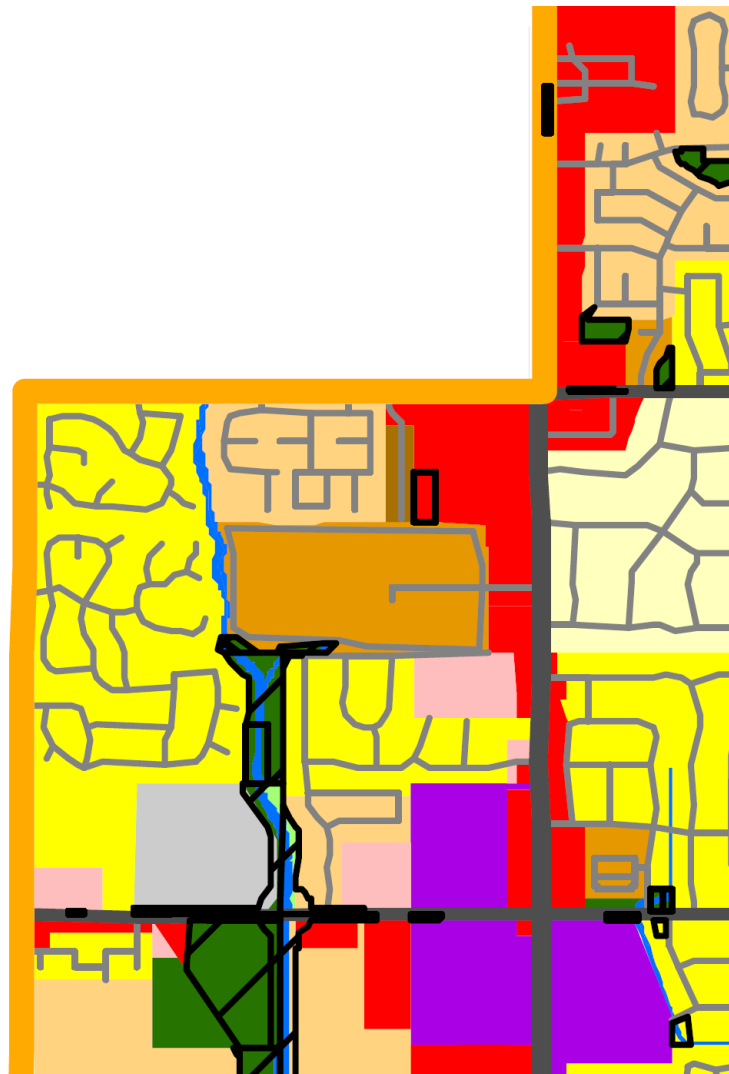


Exhibit C Overall Concept Plan



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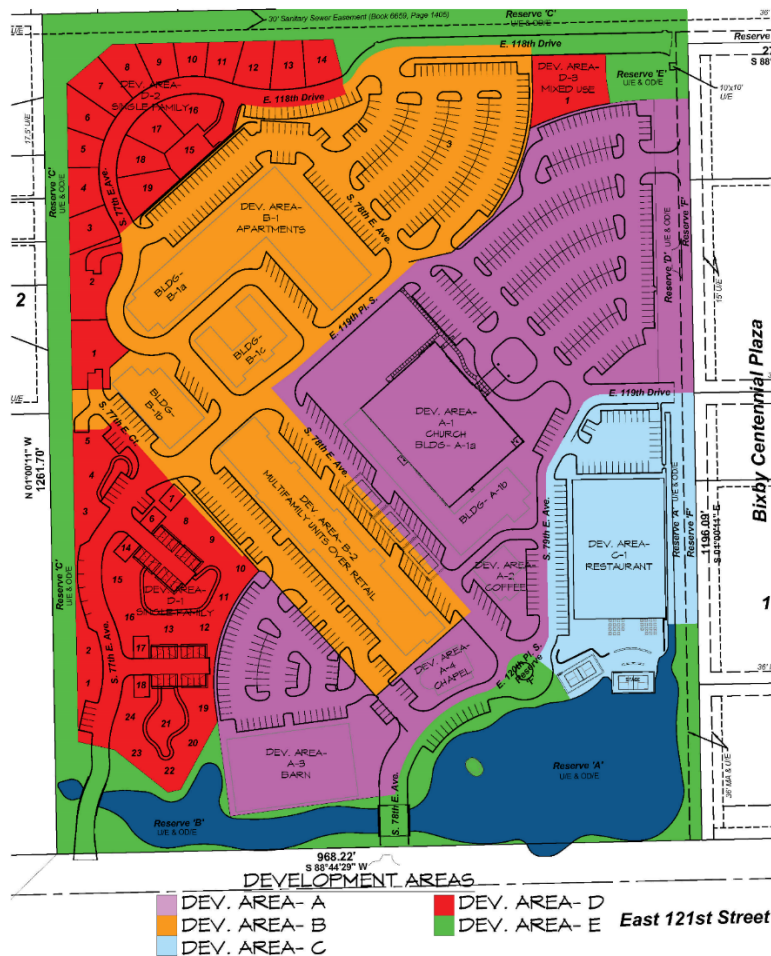
121 St



II. Development Standards

Development Areas Summary:

Area:	Use:	Square Feet	Acre(s)	% of Total	Zoning
A-1	Church	243,105	5.58	20%	CS
A-2	Coffee	20,963	0.48	2%	CS
A-3	Barn	70,100	1.61	6%	CS
A-4	Chapel	17,975	0.41	1%	CS
B-1	Multi-Family/ Mix	225,573	5.18	18%	RM-3
B-2	Mixed Use	88,708	2.04	7%	CS
C-1	Restaurant	90,985	2.09	7%	CS
D-1	Single Family	99,961	2.29	8%	RS-3
D-2	Single Family	87,238	2.00	7%	RS-3
D-3	Mixed Use	10,079	0.23	1%	RM-3
E-1	Open Space	266,851	6.13	22%	OL
Totals		1,221,538	28.04	100%	



Development Standards- Dev. Area A-1:

The Bridge Church sanctuary and supporting buildings for offices and classrooms.

Gross Lot Area: 243,105 sq. ft. 5.58 acres

Zoning: CS

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6).

“Stacking” of uses customarily found in a mixed-use development shall also be allowed.

Use Unit 5: Community Services and Similar Uses

Use Unit 10: Off Street Parking Areas

Use Unit 11: Offices and Studios

Use Unit 14: Shopping Goods and Services

Maximum Building Square Footage: 122,553 sq. ft.

Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

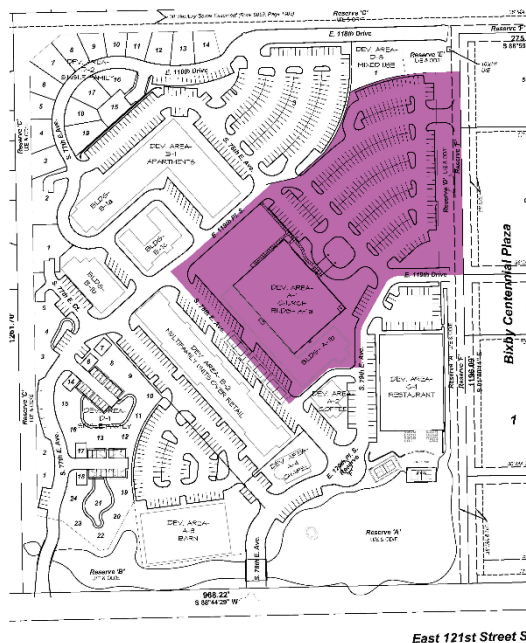
Minimum Building Setbacks:

Minimum front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

Maximum Building Height: Typical: 4-story/ 60' height.

Church Sanctuary Theater: 3-story/ 70' height

Screening: No internal screening of differing uses within the boundaries of the PUD is required.



Development Standards- Dev. Area A-2:

A Coffee shop with Drive-thru service.

Gross Lot Area: 20,963 sq. ft. 0.48 acres

Zoning: CS

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6).

“Stacking” of uses customarily found in a mixed-use development shall also be allowed.

Use Unit 5: Community Services and Similar Uses

Use Unit 10: Off Street Parking Areas

Use Unit 11: Offices and Studios

Use Unit 12: Eating Places Other than Drive-Ins

Use Unit 13: Convenience Goods and Services

Use Unit 14: Shopping Goods and Services

Maximum Building Square Footage: 10,482 sq. ft.

Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

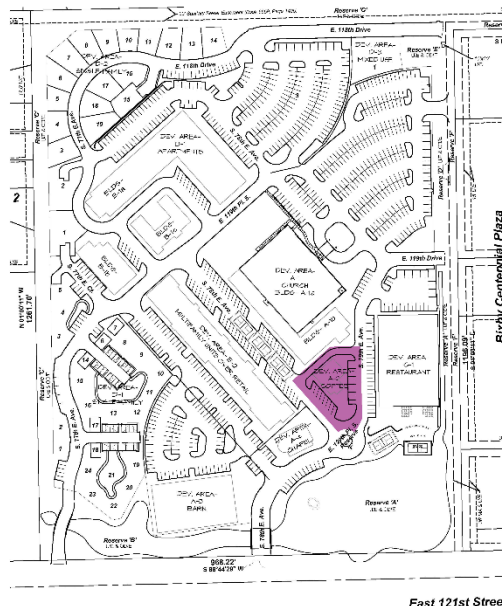
Minimum Building Setbacks:

Minimum front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

Maximum Building Height: 2-story/ 45' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required.



Development Standards- Dev. Area A-3:

The Barn is a 10,000 square foot multi-use facility available for community events.

Gross Lot Area: 70,100 sq. ft. 1.61 acres

Zoning: CS

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6).

“Stacking” of uses customarily found in a mixed-use development shall also be allowed.

Use Unit 5: Community Services and Similar Uses

Use Unit 10: Off Street Parking Areas

Use Unit 12: Eating Places Other than Drive-Ins

Use Unit 13: Convenience Goods and Services

Use Unit 14: Shopping Goods and Services

Maximum Building Square Footage: 35,050 sq. ft.

Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

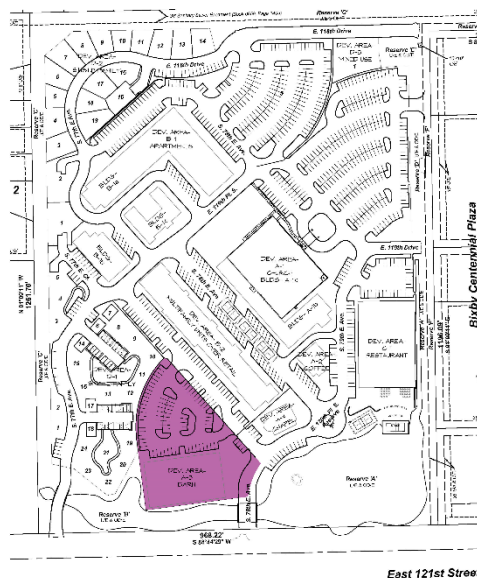
Minimum Building Setbacks:

Minimum front, side, and rear yards shall not be required, except that buildings along South 121st East Street shall be setback a minimum of 20 feet

Maximum Building Height: 2-story/ 45' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required.



Development Standards- Dev. Area A-4:

The Chapel is an intimate worship space available for weddings, funerals or other gatherings and will typically be used by the Youth Group of the Bridge Church.

Gross Lot Area: 17,975 sq. ft. 0.41 acres

Zoning: CS

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6).

“Stacking” of uses customarily found in a mixed-use development shall also be allowed.

Use Unit 5: Community Services and Similar Uses

Use Unit 10: Off Street Parking Areas

Use Unit 12: Eating Places Other than Drive-Ins

Use Unit 13: Convenience Goods and Services

Use Unit 14: Shopping Goods and Services

Maximum Building Square Footage: 8,988 sq. ft.

Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

Minimum Building Setbacks:

Minimum front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

Maximum Building Height: 2-story/ 45' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required.



Development Standards- Dev. Area B-1:

A Multi-family facility with areas available for lease to Retail and Office users. 1st floor spaces shall be used as Retail for a minimum 12 months from issuance of 1st Building Permit within the B-1 Development Area.

The clubhouse will be designed to mimic a traditional downtown courthouse.

An elevator shall be provided in Bldg. B1-a.

A Certificate of Occupancy cannot be issued for Bldg. B-1a until the foundations for Lots 10, 11, 12, and 13 of Block D-2 have begun construction.

Gross Lot Area: 225,573 sq. ft. 5.18 acres

Zoning: RM-3 **Number of Units:** Maximum 160 units

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6). "Stacking" of uses customarily found in a mixed-use development shall also be allowed.

Use Unit 8: Multi-Family Dwelling and Similar Uses

Use Unit 10: Off Street Parking Areas

Use Unit 11: Offices and Studios

Use Unit 13: Convenience Goods and Services

Use Unit 14: Shopping Goods and Services

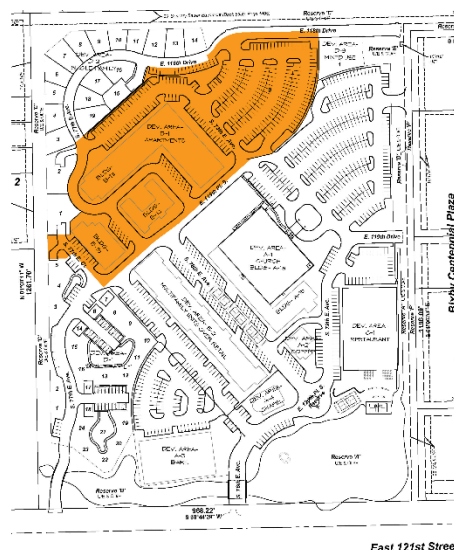
Land area per dwelling unit (minimum square feet): 1,410 s.f./ Unit

Minimum Building Setbacks:

Minimum front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

Maximum Building Height: 3-story/ 48' height.

Screening: No internal screening of differing uses within the boundaries of the PUD is required.



Development Standards- Dev. Area B-2:

A series of mixed-use buildings with residential units and commercial lease spaces. Retail is to be a priority for 1st floor spaces. The buildings will be designed to mimic a traditional downtown main street. Maximum of 90 residential units.

Gross Lot Areas:

Dev. Area B-2: 88,708 sq. ft. 2.04 acres

Zoning: CS

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6).

“Stacking” of uses customarily found in a mixed-use development shall also be allowed.

Use Unit 5:	Community Services and Similar Uses
Use Unit 8:	Multi-Family Dwelling and Similar Uses
Use Unit 10:	Off Street Parking Areas
Use Unit 11:	Offices and Studios
Use Unit 12:	Eating Places Other than Drive-Ins
Use Unit 13:	Convenience Goods and Services
Use Unit 14:	Shopping Goods and Services
Use Unit XX:	Hotel (Lobby satisfies 1 st Floor Retail. Located at SE corner adjacent to A-4)

Maximum Building Square Footage:

Dev. Area B-2: 44,354 sq. ft.

Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

Development Standards- Dev. Area B-2: (cont.)

Minimum Building Setbacks:

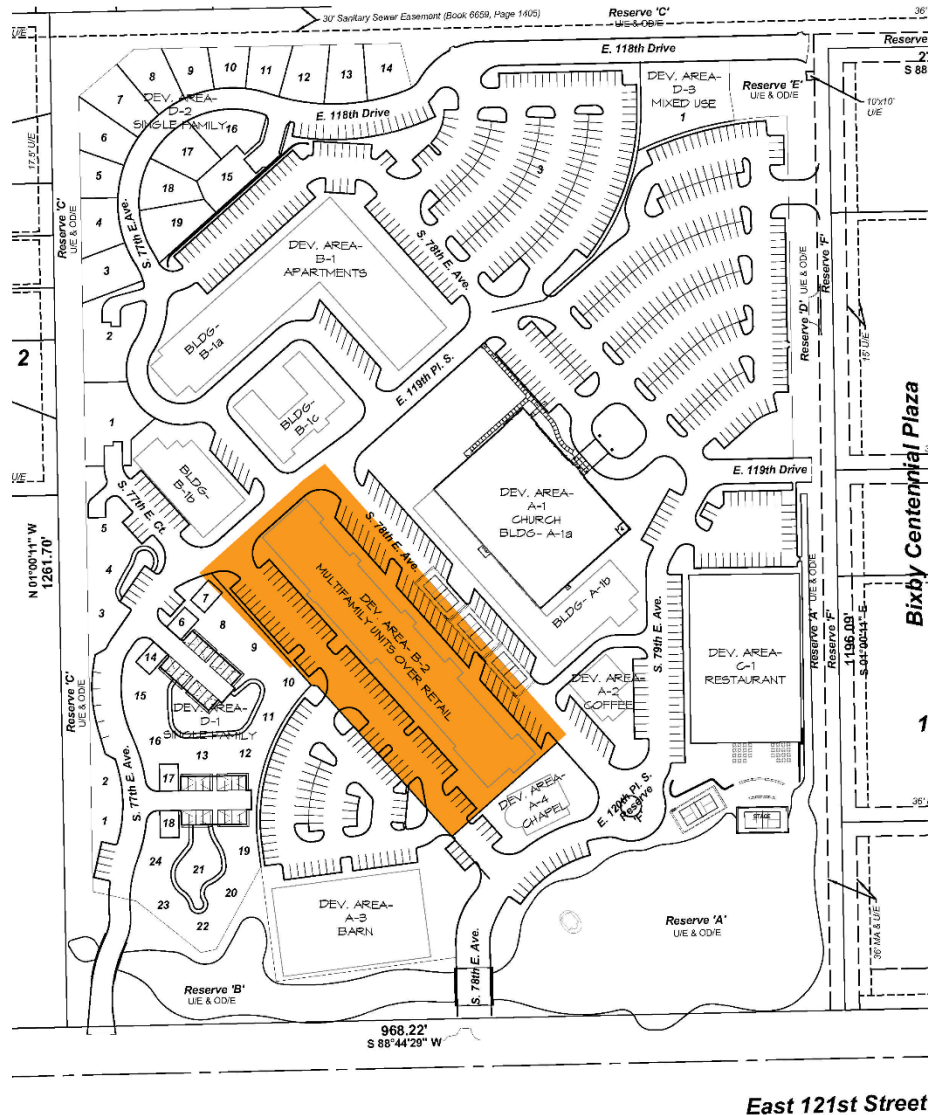
Minimum front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

Maximum Building Height:

4-story/ 60' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required.



Development Standards- Dev. Area C-1:

A waterfront restaurant approximately 30,000 square feet with patio seating and a pier.

Gross Lot Area: 90,985 sq. ft. 2.09 acres

Zoning: CS

Permitted Uses:

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6).

“Stacking” of uses customarily found in a mixed-use development shall also be allowed.

Use Unit 5: Community Services and Similar Uses

Use Unit 10: Off Street Parking Areas

Use Unit 12: Eating Places Other than Drive-Ins

Use Unit 13: Convenience Goods and Services

Use Unit 14: Shopping Goods and Services

Maximum Building Square Footage: 45,493 sq. ft.

Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

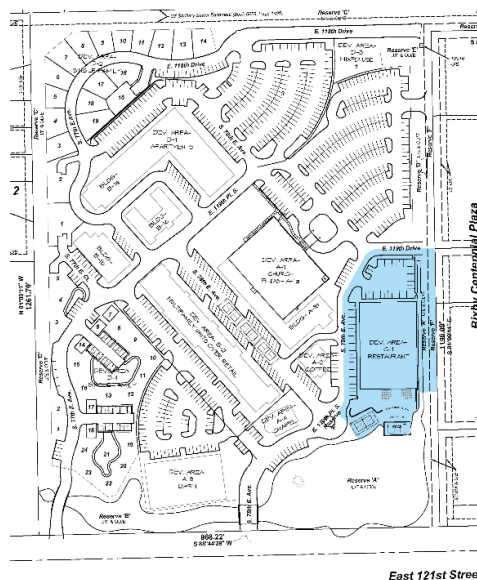
Minimum Building Setbacks:

Minimum front, side, and rear yards shall not be required, except that buildings along South 121st East Street shall be setback a minimum of 20 feet

Maximum Building Height: Main Bldg: 2-story/ 38' height.
Water Tower: 70' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required.



Development Standards- Dev. Areas D-1:

Single-Family, attached and detached homes designed to mimic an old-world village. All lighting shall be shielded to avoid light spillage across property lines. Landscaping shall be well maintained, and replaced as required.

Gross Lot Area:

Dev. Area D-1: 99,961 sq. ft. 2.29 acres

Zoning:

Dev. Area D-1: RS-3

Permitted Uses:

Use Unit 6: Single-Family Dwelling
Use Unit 7: Duplex Dwelling
Use Unit 7a: Townhouse Dwelling
Use Unit 10: Off Street Parking Areas

Minimum Lot Area: 4,000 sq. ft.

Minimum Dwelling Unit Square Footage: 800 sq. ft.

Minimum Building Setbacks:

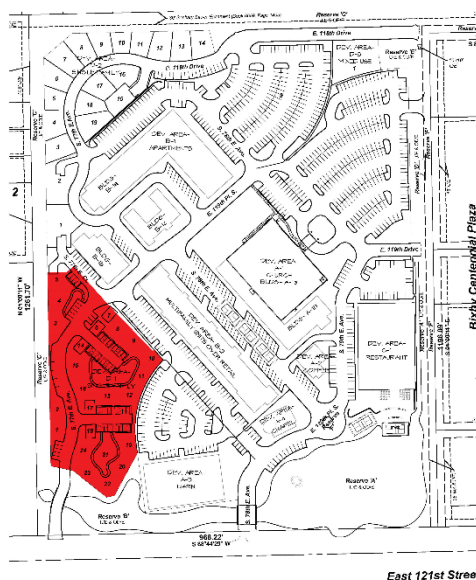
Minimum lot size, front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

A minimum 35' wide Landscape buffer is provided by Development Area E along the North and West property boundaries.

Maximum Building Height: 2-story/ 38' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required. A 59" high, open metal fence with min. 1" pickets at max. 4" o.c. will be provided along the West property lines of the D-1 Development Area.



Development Standards- Dev. Areas D-2:

Single-Family, attached and detached homes designed to mimic an old-world village. Each façade shall be different on every unit.

All lighting shall be shielded to avoid light spillage across property lines.

Landscaping shall be well maintained, and replaced as required.

Gross Lot Area:

Dev. Area D-2: 87,238 sq. ft. 2.00 acres

Zoning:

Dev. Area D-2: RS-3

Permitted Uses:

Use Unit 6: Single-Family Dwelling

Use Unit 7: Duplex Dwelling

Use Unit 7a: Townhouse Dwelling

Use Unit 10: Off Street Parking Areas

Minimum Lot Area:

4,000 sq. ft.

Minimum Dwelling Unit Square Footage:

1,500 sq. ft.

Minimum Building Setbacks:

Minimum lot size, front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

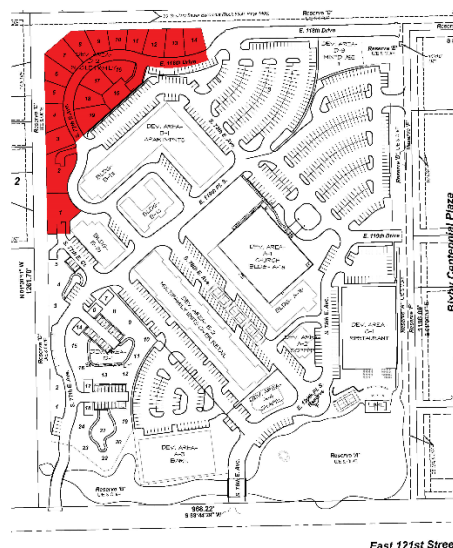
A minimum 35' wide Landscape buffer is provided by Development Area E along the North and West property boundaries.

Maximum Building Height:

2-story/ 38' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required. A 59" high, open metal fence with min. 1" pickets at max. 4" o.c. will be provided along the West property lines of the D-2 Development Area.



Development Standards- Dev. Areas D-3:

Mixed-use buildings with residential units and commercial lease spaces. Retail is to be a priority for 1st floor spaces. The buildings will be designed to mimic a traditional downtown main street. Maximum of 2 residential units. All lighting shall be shielded to avoid light spillage across property lines. Landscaping shall be well maintained, and replaced as required.

Gross Lot Area:

Dev. Area D-3: 10,079 sq. ft. 0.23 acres

Zoning:

Dev. Area D-3: RM-3

Permitted Uses:

Use Unit 6: Single-Family Dwelling
Use Unit 7: Duplex Dwelling
Use Unit 7a: Townhouse Dwelling
Use Unit 10: Off Street Parking Areas
Use Unit 11: Offices and Studios
Use Unit 13: Convenience Goods and Services
Use Unit 14: Shopping Goods and Services

Minimum Lot Area: 4,000 sq. ft.

Minimum Dwelling Unit Square Footage: 1,500 sq. ft.

Minimum Building Setbacks:

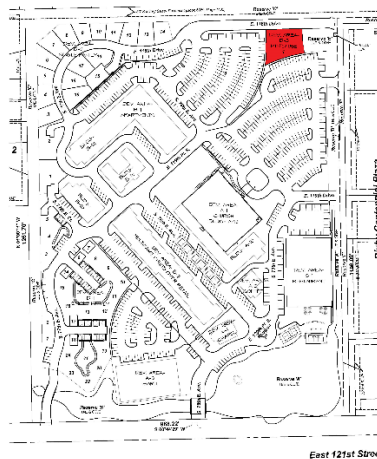
Minimum lot size, front, side, and rear yards shall not be required, except that Non-Residential or mixed-use buildings located along the main street shall have a front yard not exceeding 10 feet.

A minimum 35' wide Landscape buffer is provided by Development Area E along the North and West property boundaries.

Maximum Building Height: 2-story/ 38' height.

Screening:

No internal screening of differing uses within the boundaries of the PUD is required.



Development Standards- Dev. Area E-1:

6.26 acres of landscaped area including the feature lake with an amphitheater, an open-air Chapel on an island for public use and hike and bike trails around the perimeter of the property to create a minimum 30' wide landscape buffer to the adjacent existing Single-Family homes.

Refer to Exhibit for acceptable Plants/ Trees.

All landscaping shall be well maintained and replaced as required.

Maintenance of Dev. Area E-1 shall be the responsibility of the HOA.

Gross Lot Area: 266,851 sq. ft. 6.13 acres



III. General Provisions and Development Standards

A. Landscaping:

1. To retain authenticity to a small village, private streets, plazas, gathering areas, alleys and/or pedestrian access corridors within the Property shall provide a minimum 10% landscape area and will submit a landscape plan during the detailed site plan process.
2. Artificial plants shall be strictly prohibited.
3. Landscaping shall utilize plants listed in the PUD.
4. Permanent irrigation shall be provided for all landscaping as follows:
 - a. Irrigation lines for perimeter landscaping identified in (a) above, shall be placed a minimum of 2.5 feet from a City sidewalk or alley. Reduction of this requirement is subject to review and approval by the City Engineer. Privately owned and operated irrigation lines shall not be located within a public easement.
 - b. Only bubbler-type irrigation lines shall irrigate trees and shrubs. Other landscaping may be irrigated by spray irrigation. Separate valves shall be provided to turn off the spray irrigation line during periods of drought or water conservation.
 - c. Rain, freeze, and wind detectors shall be installed on all irrigation lines.
 - d. Automatic irrigation systems shall be operated between the hours of 6:00 p.m. and 10:00 a.m. to reduce loss of water to evaporation and wind.
5. A minimum 30' wide landscape buffer will be provided along the West and North property lines adjacent to the existing Single-Family homes.

B. Screening:

1. Service equipment (including HVAC equipment) and areas shall be screened so the visual impacts of these functions are fully contained and out of view from adjacent properties and public rights-of-way.
2. Screening materials for solid waste collection and loading areas shall be the same as the materials used for the principal building, or a six-foot tall solid masonry wall. Trash dumpsters shall have a door, which shall remain closed when not in use.

C. Lighting

1. All pole-mounted and building-mounted lighting shall be oriented to minimize light leaving the development.
2. All lights shall be designed or have the ability to control the light pattern to minimize the light leaving the site at the boundary of the development.
3. The mounting height of each fixture light shall not exceed 30' as measured from the pavement to the light fixture.
4. A maximum light level of .00 foot candles shall be obtained at the boundary of the Development. A photometric study will be provided to verify the .00 foot candle measurement at the property line.
5. All lights will face down and away from the boundary of the development.
6. Light fixtures must be period appropriate styles, ref. samples in the Design Guidelines.
7. If lighting is provided within the Landscape Buffer the fixtures will be ground or bollard mounted. Light sources shall not exceed 48" high. Illumination is to be kept to a minimum.

D. Signage:

Signs located on the Property shall be designed to be period appropriate and comply with the standards below. Signs shall be designed for visual communication and orientation to the pedestrians and slow-moving vehicular traffic crossing pedestrian sidewalks as follows:

1. Hanging or "blade" signs are permitted and shall be placed perpendicular to the façade, located above or adjacent to the entrance and visible to pedestrian circulation on adjacent sidewalks.
2. Canopy signs are permitted and shall be oriented perpendicular or parallel to the façade, typically located above or adjacent to the entrance and visible to pedestrian circulation on adjacent sidewalk.
3. All signs shall maintain a minimum clearance of eight feet above sidewalk level to the bottom of the sign.
4. Pole-mounted signs are prohibited and may only be used for public traffic, safety, transportation, and directional information purposes.
5. Billboards shall not be permitted within, or attached to, any structure.
6. Sandwich signs are permitted on sidewalks, provided that they are located adjacent to the building and are not located in, or block the sidewalk's five-foot wide clear zone.
7. With the exception of the sign standards outlined under this section, all signs must meet the criteria and compliance of the standards of

the Sign Guidelines to be established as part of the Design Guidelines for the project.

8. Channel Letters and cabinet signs with or without internal illumination are prohibited.

E. Drainage:

The majority of the site will be graded to allow for surface water to drain directly to the improved tributary or be collected in an internal storm sewer system that will route it to the improved tributary. The final drainage and grading design will allow for an overland flow capacity capable of routing discharges from the existing total retention facility within 121st Center across the site to the tributary. This will be designed in conformance with City of Bixby Engineering Design Criteria.

F. Vehicular and Pedestrian Access and Circulation:

1. All private driveway and/or street connections shall be subject to City Engineer curb cut and/or ODOT driveway permit approval for the proposed access points to Memorial Dr. (US Hwy 64) and 121st St. S., and the Fire Chief's and Fire Marshal's approval of locations, spacing, widths, and curb return radii.
2. Pedestrian connectivity will be provided by new sidewalks along all abutting public streets and all private streets as well as internal sidewalk circulation within the development. This sidewalk system will be designed to not only serve the immediate access issues to each building but also to serve as a walking trail system that will circulate throughout the property. All sidewalk layouts will be developed and presented in detail at the PUD detailed site plan submittal.

G. Parking:

1. Required parking for a particular use may be located and maintained anywhere within the Property.
2. On-street parking and shared parking located anywhere within the Property's boundaries may be counted towards meeting the parking requirements of any use.
3. The Owner is required to submit parking information with each building permit and shall maintain an ongoing count of parking spaces and the allocation of parking spaces toward a particular use.
4. Uses may share required parking spaces where the Owner can submit a shared parking analysis prepared by a professional

engineer to the Director of Development Services demonstrating the feasibility of shared parking for multiple uses. The shared parking analysis shall address at a minimum the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing parking spaces.

5. As a condition of approval of shared parking, shared parking must result in a reduction of at least ten percent (10%) of the aggregate required parking for such uses.
6. Up to 50% of the parking spaces required for a theater or other place of evening entertainment (after 5:00 PM), or for a church, may be provided and used jointly by banks, offices, and similar uses not normally open, used, or operated during evening hours if specifically approved by the Director of Development Services.
7. Adequate public access to and from public rights-of-way via private drives and/or access easements shall be established for parking garages.
8. In no instance shall a parking structure be taller than the building to which it is closest. Notwithstanding, the maximum height for a parking structure shall be 50 feet.
9. Where parking garages are within view from streets, openings in parking garages shall not exceed 75% of the parking garage's façade. The portion of the parking garage that is visible from the street shall have an architecturally finished façade compatible with the surrounding buildings.
10. Entries and exits to and from parking structures shall be clearly marked for both vehicles and pedestrians by materials, lighting, signage, etc., to ensure pedestrian safety on sidewalks.

H. Detailed Site Plan Review

No building permit shall be issued until a detailed site plan is submitted to and approved by the Bixby Planning Commission and City Council in accordance with the City of Bixby Zoning Code. Any standard requirements of the City of Bixby Fire Chief, Fire Chief, City Engineer, and City Attorney shall be met as part of the PUD detailed site plan approval.

J. Requirement to Plat

No building permit shall be issued until:

1. A plat containing restrictive covenants memorializing the above development standards is prepared and filed in accordance with the City of Bixby Subdivision Regulations.
2. A Home Owners Association or similar agency is established.

K. Building Heights:

1. Architectural embellishments not intended for human occupancy that are integral to the architectural style of the buildings, including spires, belfries, cupolas, domes, and roof forms whose area in plan is no greater than 25% of the first-floor footprint may exceed the height limits by up to 20 feet.
2. No building on the Property shall be greater than four stories above grade or 70 feet.

L. Utilities:

All proposed utility lines shall be located underground.

M. Definitions:

1. Plaza: An open public area that is usually near city buildings and that often has trees and bushes and places to sit, walk, and shop. Similar in layout and design to a Classic American Downtown Square
2. Condominium flats: A unit within a multi-unit building or complex, which is individually owned and where the owner shares in joint ownership of any common grounds, passageways, etc. A condominium flat is not strictly intended for residential uses.
3. Artisan studios: A mixed commercial-residential space for sale or lease where the individual residing in a portion of the space also operates a store, studio or showroom at the front of the space. The individual operating the commercial use cannot be different from the individual residing in the space.

N. Emergency Vehicle Access:

Parking on-street is prohibited except where provided in approved public street construction drawings. A 24-foot wide drive aisle shall be maintained for emergency vehicles.

O. Visibility Triangles:

Adequate sight distance as approved by the City Engineer will be provided at all intersections through the use of appropriate traffic control devices. Visibility triangles at intersections and private driveways for vehicles exiting the Property shall be provided at intersections with South 121st East Street and other intersections identified during the Site Plan phase.

P. Sidewalk and Clear Zone:

1. A minimum five-foot wide sidewalk is required to be constructed and remain in place along the Main Street Plaza and collector roads.
2. Pedestrian amenities and streetscape features, such as planters, benches, trees, light poles, shall not encroach upon the dedicated five-foot wide sidewalk or “clear zone.”

Q. Fencing:

1. Fencing shall be constructed of wrought iron, tubular steel or similar material, or masonry.
2. Fencing is allowed between the primary facade of the building and the property line.
3. Fencing is allowed to separate an outdoor eating area from the Main-street sidewalk if the five-foot wide “clear zone” walk path is maintained.

R. Review of Construction Drawings:

In order to review site and building construction drawings for compliance with this PUD:

1. The Owner shall provide a Preliminary Site Plan for each building permit application demonstrating that the development meets the conditions of this PUD ordinance.
2. The Owner shall submit a final façade plan with a Final Site Plan for each building permit application to ensure that the minimum standards of this ordinance are met. The purpose of the façade plan is to ensure consistency and compatibility for all buildings within the development.
3. The Owner shall submit additional details as deemed necessary by City review staff, including, but not limited to, façade plans of buildings within 100 feet of the building under review.

S. Procedures and Criteria for Alternative Compliance:

1. Alternative compliance is a procedure that allows development to occur where the intent of the PUD and this PUD ordinance is met through an alternative design. It is not a general waiver of regulations. Rather, it permits a site- specific plan to

incorporate an alternative design that is equal to or better than the strict application of a design standard in meeting the intent of both the zoning district and the applicable standard.

2. If a concept plan or development plan is to include a request for approval of alternative compliance, a pre-submittal conference is required to determine the preliminary response from the Director of Development Services. Based on that response, the application for a conceptual plan or development plan shall include sufficient explanation and justification, in both written and graphic form, for the alternative compliance requested.
3. A request for approval of alternative compliance may include proposed alternatives to one or more design standards. To grant a request for alternative compliance the following criteria must be met:
 - a. The proposed alternative achieves the intent of the subject design standard to the same or better degree than the subject standard.
 - b. The proposed alternative achieves the mixed-use goals and policies in the PUD and this PUD ordinance to the same or better degree than the standard.
 - c. The proposed alternative benefits the community and is equivalent to, or better, than compliance with the design standard.
4. Alternative compliance shall apply to the specific site for which it is requested and does not establish a precedent for assured approval of other requests, or the entire development plan, or future developments.

IV. Building Design Standards

A. Building Exterior Façade Materials:

1. Stone will be the predominate façade material, and only durable materials such as clay fired brick, natural and manufactured stone, granite, marble, and traditional 3-coat stucco shall be considered primary materials. Native Oklahoma stone materials shall be of primary consideration in the building material selection process.
2. Primary materials shall comprise at least 80% of the façade of each floor, exclusive of doors and windows.

3. Only primary building materials are allowed on the first-floor facades, exclusive of doors, windows, and their accompanying frames. For the purposes of this section, the first-floor height shall be at least nine feet.
4. Secondary materials used on a building façade are those that comprise less than a total of 20% of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, cedar or similar quality decorative wood, or other materials as approved by the MARC.
5. Four-Sided Building Design: All buildings shall be architecturally finished on all sides with the same materials, detailing, and features, except A-1. Where a façade is screened from public view, the architectural finish must match the remainder of the building in color only.
6. Flat roof buildings shall have a parapet.

B. Building Entries:

1. Main entries to buildings shall be highlighted using such techniques as building articulation and/or entry canopies so they are obvious to pedestrians and motorists.
2. Each building and separate lease space at grade shall have a functioning "Primary Entry" from the sidewalk along the street frontage. Corner entries may count as a Primary Entry for both intersecting street fronts.

C. Awnings, Canopies, Arcades and Overhangs:

1. Structural awnings are encouraged at the ground level to enhance articulation of the building volumes.
2. The material of awnings and canopies shall complement the building.
3. Canopies and awnings shall respect the placement of street trees and lighting.
4. All large canopies, i.e. gas stations, banks, etc., that require structural columns for support shall have a minimum six feet masonry or ornamental iron/steel (or other approved material) finish measured from the finished grade. Materials used on columns and canopies shall complement the building.

D. Building Articulation:

1. The first floor of a building where retail or service uses take place shall be accentuated by awnings or canopies, different building materials, or other architectural features.
2. For at least every 100 feet of building façade length, building facades fronting streets and private drives shall have massing changes and architectural articulation to provide visual interest and texture and to reduce large areas of undifferentiated building façade. Design articulation should not apply evenly across the building façade, but should be grouped for greater visual impact employing changes in volume and plane. Architectural elements including projecting volumes, windows, balconies, loggias, canopies, pediments, and moldings that break up the mass of the building are encouraged.

V. Expected Schedule of Development

- A. Construction shall commence within 24 months from the date the PUD is approved by City Council.
- B. Anticipated development schedule is as follows:
 - a. B-1, B-2, C-1, D-1, D-2, D-3: 2023/24
 - b. A-2, A-3, A-4: 2024/25

Exhibit E
Example Images for Classic Americana Downtown Buildings



Exhibit E (cont.)
Example Images for Classic Americana Downtown Buildings





