



City of Bixby Planning Commission Meeting Agenda

Tuesday, January 16, 2024

6:00 PM

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

Call to Order

Chairman

Roll Call

Secretary

Consent Agenda

- 1) Consider and/or approve the minutes of the December 18, 2023 Planning Commission Meeting.

Public Hearings

- 2) Discussion and possible approval of Bixby Preliminary Plat and Final Plat (B.X.P.T.) number 23.18, for The Reserve at White Hawk, 10.26 acres, containing (15) lots, three (3) blocks, and two (2) reserve areas, in Section 15, Township 17 North, Range 13 East, located on the Southeast Corner of South Yale Avenue and East 141st Street South.
- 3) Discussion and possible approval of Bixby Preliminary Plat and Final Plat (B.X.P.T.) number 23.10, for The Reserve at White Hawk Blocks 7-9, 18.43 acres, containing (38) lots, six (6) blocks, and four (4) reserve areas, in Section 15, Township 17 North, Range 13 East, located North of East 151st Street South and East of South 53rd East Ave.
- 4) Discussion, consideration, and possible vote for approval of Bixby Zoning (B.X.Z.O) number 24.01, Rezoning for Greyhawk Residential, a proposed amendment to a zoning district in the City of Bixby, from Agriculture (A.G.) to Residential Single-Family (RS-2) The property contains 105.45 acres in Section 06, Township 17 North, Range 14 East, located approximately 2,000 feet North of 131st and South Mingo Road and 2,000 feet East of 131st and South Mingo Road.

- 5) Discussion, consideration, and possible vote for approval of Bixby Zoning (B.X.P.U.D) number 24.01, Planned Unit Development for Greyhawk Residential. The property contains 105.45 acres in Section 06, Township 17 North, Range 14 East, located approximately 2,000 feet North of 131st and South Mingo Road and 2,000 feet East of 131st and South Mingo Road.
- 6) Discussion, consideration, and possible vote for approval of Bixby Preliminary Plat (B.X.P.T.) number 23.17, for South County Industrial Park, 70 acres, containing eleven (11) lots, two (2) blocks, and two (2) reserve areas, in Section 16, Township 17 North, Range 13 East, located One-half (1/2) mile North of 151st Street South and West of Kimberly Clark Place.
- 7) Discussion, consideration, and possible vote for approval of Bixby Site Plan (B.X.S.P) number 24.02, Site Plan for Quail Creek Commons Building A, South of 121st Street South and East of South 74th E Ave
- 8) Discussion, consideration, and possible vote for approval of Bixby Site Plan (B.X.S.P) number 24.03, Site Plan for Quail Creek Commons Building B, South of 121st Street South and East of South 74th E Ave

Old Business

New Business

Notice of Posting

This Notice and Agenda was posted on the bulletin board this day of January 12, 2024, on or before 6:00 p.m., at City Hall, 116 W. Needles Bixby, Oklahoma.

Respectfully Submitted

Gwen Plante, Assistant City Planner

Persons who require special accommodation to participate in this meeting should contact Assistant City Planner Gwen Plante: 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430 or via Email: GPlante@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.

Planning Commission Meeting Minutes

116 W. Needles Ave., Bixby, OK 74008

Monday, December 18, 2023 at 6:00 PM

Call to Order: 6:08 PM

Roll Call was taken

MEMBERS PRESENT:

Steve Hobbs

Jason Mohler

Tom Holland

STAFF PRESENT:

Joey Wiedel, Development Services Director

Gwen Plante, Assistant City Planner

Justin Dowd, City Engineer

Consent Agenda

Consider and/or approve the minutes of the November 20, 2023 Planning Commission Meeting.

Chairman Hobbs asked for a motion to approve item 1 of the Consent Agenda. Commissioner Holland made a motion to approve, seconded by Vice Chair Mohler. The vote was taken with the following results:

Ayes: Hobbs, Mohler, Holland

Nays: 0

Abstain: 0

Carried: 3-0

Public Hearings

Discussion and possible approval of Bixby Final Plat (B.X.P.T.) number 23.21, for Richard Roberts Ministries, 6.26 acres, containing (1) lot, one (1) block, and one (1) reserve area, in Section 20, Township 17 North, Range

13 East, located on the Southwest Corner of South Harvard Avenue and 151st Street South.

Ms. Plante gave an update and overview of the project to the Planning Commission.

The applicant was not present at the Planning Commission Meeting.

Chairman Hobbs was concerned that the applicant was not present to answer questions. Chairman Hobbs asked if the Commissioners had an issue with the applicant not being present. Commissioner Holland questioned if previous cases the applicant has brought have there been any issues. Mr. Wiedel stated the applicant was not required to be at the meeting but to their advantage to be present to answer any questions.

Commissioner Holland was concerned if the project was in the Corridor Appearance District and if the North portion would comply as other new developments do not have a façade that would comply, Mr. Wiedel stated that those projects were still in the construction phase but would be required to meet the guidelines.

Vice Chair Mohler asked about the reserve area as well as where the storm sewer connected. Justin Dowd also answered these questions and would have the applicant update the plat.

Chairman Hobbs asked for a motion on item 2, and Vice Chair Mohler made a Motion to approve the Bixby Final Plat (B.X.P.T.) number 23.21 per staff recommendation. This was seconded by Commissioner Holland. The vote was taken with the following results:

Ayes: Holland, Mohler, Hobbs

Nays: 0

Abstain: 0

Carried: 3-0

Discussion and possible approval of Bixby Preliminary Plat (B.X.P.T.) number 23.20, for Robinson Ranch South, 42.216 acres, containing (122) lots, eight (8) blocks, and four (4) reserve areas, in Section 25, Township 17 North, Range 13 East, located approximately One-half mile South of 161st Street and East of Memorial

Drive.

Ms. Plante gave an overview of the project to the Planning Commission. The applicant was seeking the approval of a Preliminary Plat.

Others who spoke: Megan Pasco, with Tanner Consulting

Megan Pasco explained clarification that the maximum amount of units is 135 in the PUD, they will only be constructing 122 units. Further clarified that the 20% minimum number of lots provided will be based on the 122 units not the 135 units.

Commissioner Holland asked about the status of common areas which include community amenities. Ms. Pasco responded saying that those are outlined in a separate PUD as they are on a separate piece of property that mimics the existing Robinson Ranch PUD. Those amenities include a basketball court and playground and will be completed in Phases III and IV. Ms. Pasco's knowledge they should be wrapping the third phase, they are still a requirement, physically plotted separately however residents from this subdivision will have access to them.

Commissioner Holland also asked about potential issues with drainage discussed previously. Joey answered these questions with details about planned drainage paths and that the development is in alignment with the master plan. Justin Dowd assured the Commission that it was in the overall drainage plan.

Chairman Hobbs asked for a motion to approve Item 3. Commissioner Holland made a motion to approve, seconded by Chairman Hobbs. The vote was taken with the following results:

Ayes: Holland, Mohler, Hobbs

Nays: 0

Abstain: 0

Carried: 3-0

Discussion and possible approval of Bixby Final Plat (B.X.P.T.) number 23.19, for Bungalows IV at Willow Creek, 2.51 acres, containing (12) lots, one (1) block, in Section 12, Township 17 North, Range 13 East, located on the South of East 131st Street South and West of South Mingo Road.

Ms. Plante gave an overview of the project to the Planning Commission. The applicant was seeking the approval of a Final Plat.

Applicant Ryan McCarty with Select Design was available for questions.

Vice Chair Mohler asked if the pending LOMR had been issued. Justin Dowd answered that according to Senator Hern's office, the LOMR was supposed to arrive December 6th, however, no letter was received at the time of the meeting.

The applicant answered questions about the LOMR and respective applications.

Chairman Hobbs asked for a motion on Item 4, Vice-Chair Mohler made a motion to approve, seconded by Commissioner Holland. The vote was taken with the following results:

Ayes: Holland, Mohler, Hobbs

Nays: 0

Abstain: 0

Carried: 3-0

Old Business: None

New Business: None

Adjournment

Planning Commission Adjourned at 6:39 PM

Chairman

Secretary



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: Gwen Plante, Assistant City Planner
Date: December 12, 2023
RE: **The Reserve at White Hawk, Blocks 1-6**
Preliminary and Final Plat (BXPT 23.10)
Location: North of East 151st Street South and East of South 53rd East Ave.
18.43 Acres (+/-)
STR: Section 15, Township 17, Range 13
Applicant: White Hawk Investments, LLC

SITE STATS:

Acres: 18.43 +/-	Min. Lot Width: 75	DU/acre: 4
Number of Lots: 38	Number of Blocks: 6	Reserve Areas: 4

REQUEST: The applicant is requesting Preliminary and Final Plat approval for the Reserve at White Hawk.

EXISTING ZONING: Residential Single-Family (RS-2) with PUD
BXPUD 18.10 MA 3

ABUTTING ZONING:

North: (RS-3) Residential Single-Family
East: (AG) Agriculture and (RS-3) Residential Single-Family
South: (OM) Office Medium Density
West: (RS-3) Residential Single-Family

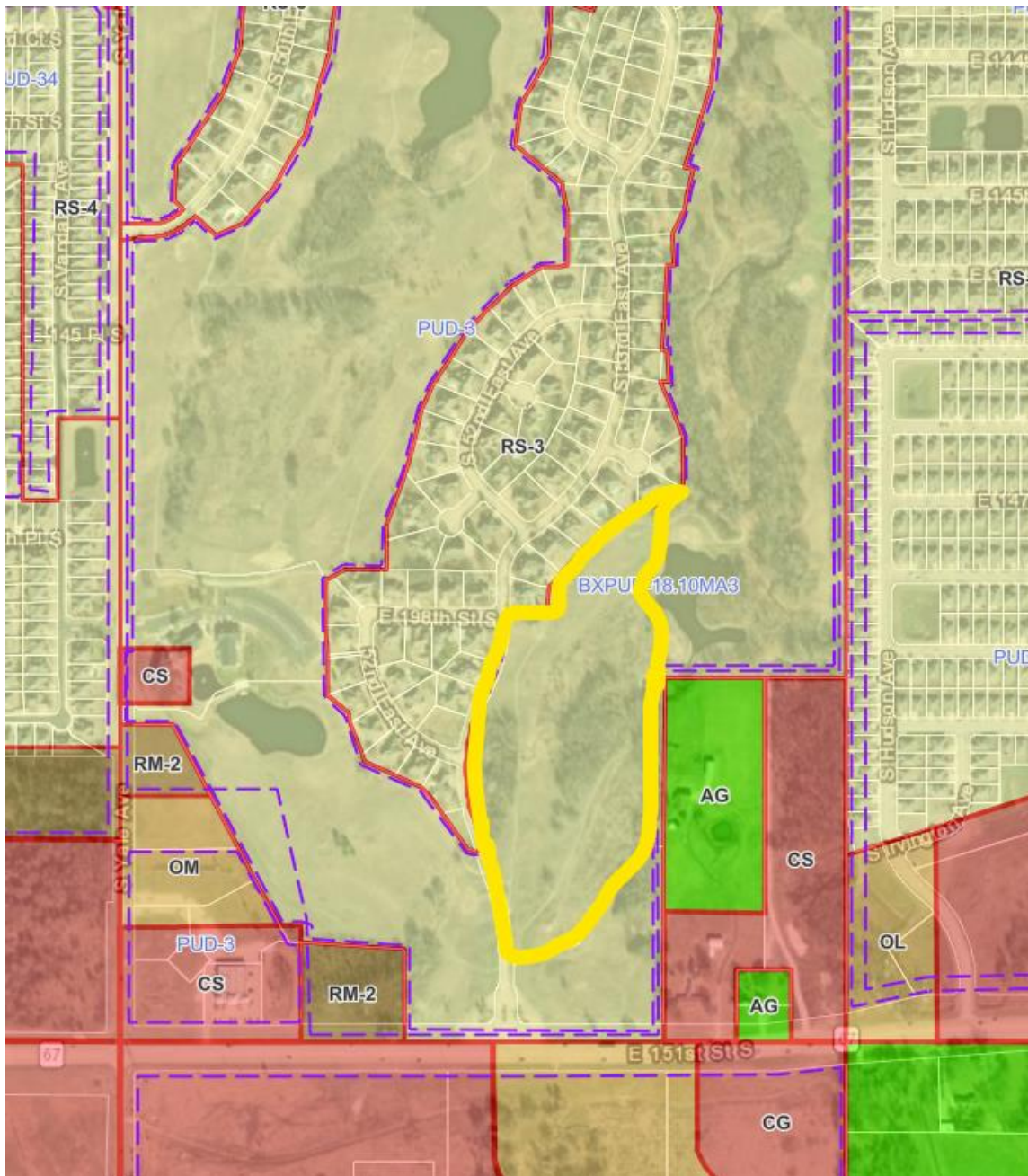


Exhibit A: City of Bixby Zoning Map

Staff Review

The applicant is requesting a Preliminary Plat and Final Plat. The proposed development is consistent with development patterns on adjacent and surrounding properties within this development. The Plat is in conformance with the PUD.

Utilities/Site Area: There is an existing 8" waterline and 8" sanitary sewer line that runs West along South 53rd East Ave.

Planning Review Comments:

None

Engineering:

None

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

Attachments:

Exhibit A:	City of Bixby Zoning Map
Exhibit B:	Preliminary Plat
Exhibit C:	Final Plat with Deed of Dedication

The Reserve at White Hawk

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, BEING A RE-PLAT OF PART OF RESERVE 'A', CELEBRITY COUNTRY (PLAT NO. 4411), AN ADDITION TO THE WEST HALF (W/2) OF SECTION FIFTEEN (15), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

Owner / Developer

WHITE HAWK INVESTMENTS, LLC
4512 EAST 51ST STREET SOUTH, SUITE 100
TULSA, OKLAHOMA 74135
PHONE: (405) 742-7117
MR. JONATHAN WEDEL

Surveyor

FRITZ LAND SURVEYING, LLC
524 E. MAIN ST.
JENKS, OK 74037
PHONE: 918-528-5121
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2024

Engineer

ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0980
EMAIL: ahal@engineeredbydesign.pro
C.A. # 7655 EXPIRES: 6-30-2024

Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	30.77'	25.00'	70°31'43.61"	S 13°00'18" W	28.87'
C2	218.63'	50.00'	250°31'44.40"	N 76°59'42" W	81.65'
C3	73.32'	200.00'	21°00'17.86"	N 11°45'25" W	72.91'
C4	91.65'	250.00'	21°00'17.86"	N 11°45'25" W	91.14'
C5	39.33'	25.00'	90°08'36.26"	N 43°49'03" E	35.40'
C6	21.03'	25.00'	48°11'22.87"	S 67°00'58" E	20.41'
C7	39.21'	25.00'	89°51'23.74"	N 46°10'57" W	35.31'
C8	21.03'	25.00'	48°11'22.87"	S 64°47'39" W	20.41'
C9	241.19'	50.00'	276°22'45.73"	S 01°06'39" E	66.67'
C10	39.27'	25.00'	90°00'00.00"	N 43°44'44" E	35.36'
C11	45.98'	25.00'	105°22'33.54"	N 38°33'59" E	39.77'
C12	13.55'	25.00'	31°03'09.39"	S 73°13'10" W	13.38'
C13	26.85'	25.00'	61°32'01.90"	S 60°29'15" E	25.58'
C14	90.03'	125.00'	41°15'59.81"	N 55°24'31" E	88.10'
C15	126.04'	175.00'	41°15'59.81"	N 55°24'31" E	123.34'
C16	90.12'	250.00'	20°39'13.31"	N 24°26'55" E	89.63'
C17	38.18'	25.00'	87°29'51.51"	S 60°12'33" E	34.57'
C18	237.88'	50.00'	272°35'11.29"	S 13°59'11" W	69.10'
C19	38.18'	25.00'	87°29'51.51"	S 32°17'35" W	34.57'
C20	188.65'	300.00'	36°01'46.85"	N 16°45'38" E	185.56'

Lot Area & Address Table

BLOCK	LOT	STREET ADDRESS	AREA (SF)
1	1	5302 E. 151TH STREET, S.	20676.46
	2	5334 E. 151TH STREET, S.	14999.96
	3	5396 E. 151TH STREET, S.	16396.24
	4	15003 S. 54TH E. AVENUE	12525.86
	5	14991 S. 54TH E. AVENUE	10139.41
	6	14987 S. 54TH E. AVENUE	13529.71
	7	14961 S. 54TH E. AVENUE	14314.05
	8	14943 S. 54TH E. AVENUE	11357.78
	9	14935 S. 54TH E. AVENUE	10539.56
	10	14927 S. 54TH E. AVENUE	10500.00
	11	14903 S. 54TH E. AVENUE	10500.00
	12	14889 S. 54TH E. AVENUE	10500.00
2	1	14845 S. 54TH E. AVENUE	10500.00
	2	14823 S. 54TH E. AVENUE	10503.51
	3	14801 S. 54TH E. AVENUE	13075.70
	4	14779 S. 54TH E. AVENUE	16644.30
	5	14753 S. 54TH E. AVENUE	16078.46
3	1	14798 S. 54TH E. AVENUE	13685.28
	2	14802 S. 54TH E. AVENUE	12766.21
	3	5441 E. 148TH ST. S.	10862.61
	4	5403 E. 148TH ST. S.	9732.08
	5	5389 E. 148TH ST. S.	10856.70
4	1	5350 E. 148TH ST. S.	18541.90
	2	5354 E. 148TH ST. S.	24259.54
	3	5362 E. 148TH ST. S.	9339.78
	4	5414 E. 148TH ST. S.	13935.06
	5	5426 E. 148TH ST. S.	11971.50
5	1	5351 E. 149TH CT.	12553.49
	2	5357 E. 149TH CT.	14534.94
	3	5365 E. 149TH CT.	10267.88
	4	5401 E. 149TH CT.	11535.13
	5	5427 E. 149TH CT.	12947.41
6	1	5323 E. 151TH STREET, S.	17522.58
	2	5331 E. 151TH STREET, S.	15013.01
	3	5373 S. 54TH E. AVENUE	17902.26
	4	5434 E. 149TH CT.	14248.61
	5	5394 E. 149TH CT.	10197.20
	6	5336 E. 149TH CT.	15406.14
RES	A	T.B.D	103434.85
	B	T.B.D	30052.69
	C	T.B.D	50465.82
	D	T.B.D	1017.88

Basis of Bearings

OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

Monumentation

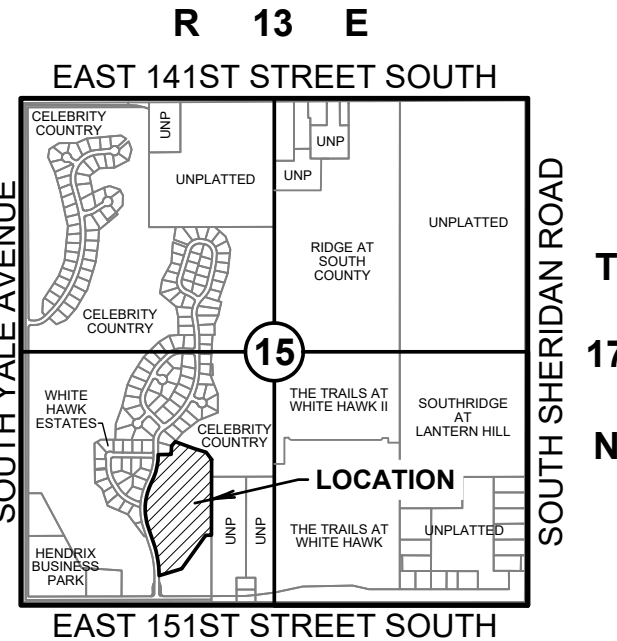
ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" x 18" STEEL PIN WITH A GREEN PLASTIC CAP STAMPED "FRITZ CA5848" AT ALL CORNERS.

Benchmark

TOPOGRAPHIC INFORMATION SHOWN HEREON IS RELATIVE TO NAVD88 PER AN ON-SITE NGS OPUS SOLUTION REPORT.

Floodplain Data

PROPERTY IS SITUATED IN UNSHADED ZONE 'X' PER FEMA FLOODPLAIN MAP NO. 40143C0433L - DATED OCTOBER 16, 2012.



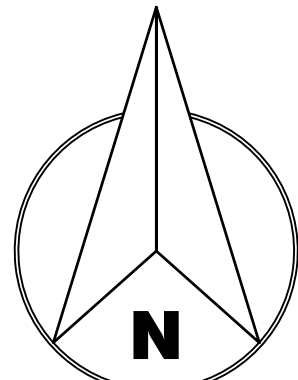
Location Map

SCALE: 1"=2000'

Subdivision Statistics

SUBDIVISION CONTAINS THIRTY-EIGHT (38) LOTS IN SIX (6) BLOCKS AND FOUR (4) RESERVE AREAS

GROSS SUBDIVISION AREA: 802,789.9 SF OR 18.43 ACRES



Scale: 1" = 100'

Legend

B/L -- BUILDING SETBACK LINE
L.N.A. -- LIMITS OF NO ACCESS
RES -- RESERVE
SS/E -- SANITARY SEWER EASEMENT
U/E -- UTILITY EASEMENT

Address Note

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.

COUNTY TREASURER STAMP

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS

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

DATED THE _____ DAY OF _____, 2023.

MICHAEL WILLIS, TULSA COUNTY CLERK

DEPUTY

11/8/2023 - REVISED PER TAC COMMENTS

THE RESERVE AT WHITE HAWK

PLANNED UNIT DEVELOPMENT: BXPUD-18.10 MA3

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

WHITE HAWK MANAGEMENT RESOURCES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER TOGETHER REFERRED TO AS THE "OWNER/DEVELOPER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

A TRACT OF LAND THAT IS PART OF RESERVE "A", CELEBRITY COUNTRY, PLAT NO. 4411, AN ADDITION TO THE WEST HALF (W/2) OF SECTION FIFTEEN (15), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE NORTH 88°46'28" EAST ALONG THE SOUTH LINE THEREOF 1428.80 FEET; THENCE NORTH 01°13'32" WEST A DISTANCE OF 90.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH 53rd EAST AVENUE, SAID POINT BEING THE WESTERN MOST SOUTHWEST CORNER OF LOT ONE (1), BLOCK TWO (2), OF SAID CELEBRITY COUNTRY; THENCE NORTH 01°13'13" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 174.86 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1120.20 FEET, AN ARC LENGTH OF 10.08 FEET, A CHORD BEARING OF NORTH 01°28'39" WEST AND A CHORD LENGTH OF 10.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES: THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1120.20 FEET, AN ARC LENGTH OF 354.89 FEET, A CHORD BEARING OF NORTH 10°48'41" WEST AND A CHORD LENGTH OF 353.41 FEET; THENCE NORTH 19°53'14" WEST A DISTANCE OF 174.00 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 801.63 FEET, AN ARC LENGTH OF 456.17 FEET, A CHORD BEARING OF NORTH 01°15'14" EAST AND A CHORD LENGTH OF 445.88 FEET; THENCE NORTH 23°36'46" EAST A DISTANCE OF 60.00 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 626.62 FEET, AN ARC LENGTH OF 275.17 FEET, A CHORD BEARING OF NORTH 11°01'14" EAST AND A CHORD LENGTH OF 272.97 FEET TO THE SOUTHWEST CORNER OF LOT ONE (1), BLOCK THREE (3) OF SAID CELEBRITY COUNTRY; THENCE NORTH 88°21'58" EAST AND DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID LOT 1, BLOCK 3 A DISTANCE OF 135.00 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 02°21'58" EAST A DISTANCE OF 90.00 FEET TO THE SOUTHEAST CORNER OF LOT TWO (2), OF SAID BLOCK 3; THENCE NORTH 38°51'58" EAST ALONG THE EAST LINE OF LOTS TWO (2) AND 3 OF SAID BLOCK 3 A DISTANCE OF 180.00 FEET TO THE SOUTHEAST CORNER OF LOT FOUR (4) OF SAID BLOCK 3; THENCE NORTH 50°36'58" EAST A DISTANCE OF 210.00 FEET TO THE SOUTHERNMOST CORNER OF LOT SIX (6) OF SAID BLOCK 3; THENCE NORTH 66°36'58" EAST ALONG THE SOUTH LINE OF LOTS 6 AND SEVEN (7) OF SAID BLOCK 3 A DISTANCE OF 48.99 FEET; THENCE SOUTH 23°20'02" EAST 204.03 FEET; THENCE SOUTH 20°01'03" WEST 125.50 FEET; THENCE SOUTH 22°15'33" EAST 57.63 FEET; THENCE SOUTH 60°51'28" EAST 49.38 FEET; THENCE SOUTH 01°15'18" EAST A DISTANCE OF 843.72 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 2; THENCE ALONG THE NORTH LINE THEREOF THE FOLLOWING THREE (3) COURSES: THENCE SOUTH 88°34'24" WEST 59.86 FEET; THENCE SOUTH 34°46'31" WEST 438.00 FEET; THENCE SOUTH 71°34'44" WEST A DISTANCE OF 248.65 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH 53rd EAST AVENUE AND THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 802,789.9 SQ. FEET OR 18.43 ACRES.

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

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

SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT", FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

- STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE AND ELSEWHERE THROUGHOUT THE SUBDIVISION ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE GENERAL UTILITY EASEMENTS. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT, PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE, EXTENDING FROM THE SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL GENERAL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THEIR RESPECTIVE LOTS AND EACH SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

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

C. WATER, SANITARY SEWER AND STORM SEWER SERVICE

- LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON THEIR RESPECTIVE LOTS AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID PUBLIC WATER MAIN, PUBLIC SANITARY SEWER MAIN OR STORM SEWER.
- WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE IN EXCESS OF 3 FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED.
- THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER AND SEWER MAINS, BUT LOT OWNERS SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY THEIR ACTS AND/OR THE ACTS OF THEIR AGENTS OR CONTRACTORS.
- 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 LOT OWNERS AGREE TO BE BOUND HEREBY.

D. GAS SERVICE

- THE SUPPLIER OF GAS SERVICE SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF GAS FACILITIES.
- 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 OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSE OF NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT OWNER'S AGENTS OR CONTRACTORS.
- ONG'S EASEMENT(S) RECORDED IN BOOK 6457 PAGE 536-538 REMAIN IN FULL FORCE AND EFFECT. ONG'S EASEMENT(S) PRE-DATE THE RIGHT-OF-WAY DEDICATION IN THIS PLAT AND MAY PROHIBIT OR LIMIT CERTAIN USES OF ONG'S RIGHT-OF-WAY, INCLUDING PAVING, OTHER UTILITY LINES, AND PERMANENT STRUCTURES, WITHOUT ONG'S PRIOR WRITTEN CONSENT.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH D SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE AND LOT OWNERS AGREE TO BE BOUND HEREBY.

E. OVERLAND DRAINAGE EASEMENT

- THE OWNER/DEVELOPER DOES HEREBY GRANT AND ESTABLISH A PERPETUAL EASEMENT ON, OVER AND ACROSS RESERVE AREA 'A' AND 'B' (HEREINAFTER REFERRED TO AS THE "OVERLAND DRAINAGE EASEMENT AREAS") FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION.
- DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE OVERLAND DRAINAGE EASEMENT AREAS SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.
- DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION (TO BE FORMED PURSUANT TO SECTION IV) TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. THE HOMEOWNERS' ASSOCIATION SHALL PROVIDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE OVERLAND DRAINAGE EASEMENT AREAS WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:
 - THE OVERLAND DRAINAGE EASEMENT AREAS SHALL BE KEPT FREE OF LITTER.
 - THE OVERLAND DRAINAGE EASEMENT AREAS SHALL BE MOWED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.
- IN THE EVENT THE ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE OVERLAND DRAINAGE EASEMENT AREAS AS ABOVE PROVIDED, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE STORM WATER DETENTION EASEMENT AREAS AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE ASSOCIATION.
- IN THE EVENT THE ASSOCIATION, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, THE CITY OF BIXBY, OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH RESIDENTIAL LOT WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE LIEN AGAINST EACH RESIDENTIAL LOT SHALL BE LIMITED TO ITS PRO RATA SHARE OF THE COSTS.
- A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

F. STORM WATER DETENTION

- THE OWNER/DEVELOPER DOES HEREBY GRANT TO THE CITY OF BIXBY, OKLAHOMA OR ITS SUCCESSORS, A PERPETUAL STORM WATER DETENTION EASEMENT ON, OVER AND ACROSS RESERVE AREAS 'A' AND 'B' FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS, RESERVE AREAS AND STREETS WITHIN THE SUBDIVISION, AND FROM AREAS OF HIGHER ELEVATION OUTSIDE THE SUBDIVISION.
- STORM WATER DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE STORM WATER DETENTION EASEMENT AREAS SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.
- STORM WATER DETENTION AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE ASSOCIATION (TO BE FORMED PURSUANT TO SECTION IV) TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND STORM WATER DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. THE ASSOCIATION SHALL PROVIDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE STORM WATER DETENTION EASEMENT AREAS WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:
 - THE STORM WATER DETENTION EASEMENT AREAS SHALL BE KEPT FREE OF LITTER.
 - THE STORM WATER DETENTION EASEMENT AREAS SHALL BE MOWED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.
- IN THE EVENT THE ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE STORM WATER DETENTION EASEMENT AREAS AS ABOVE PROVIDED, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE STORM WATER DETENTION EASEMENT AREAS AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE ASSOCIATION.
- IN THE EVENT THE ASSOCIATION, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, THE CITY OF BIXBY, OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH RESIDENTIAL LOT WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE LIEN AGAINST EACH RESIDENTIAL LOT SHALL BE LIMITED TO ITS PRO RATA SHARE OF THE COSTS.
- A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

G. SURFACE DRAINAGE AND LOT GRADING RESTRICTION

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

H. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT. THE L.N.A. MAY BE AMENDED OR RELEASED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF BIXBY, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA. THE L.N.A. ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA.

I. PAVING AND LANDSCAPING WITHIN EASEMENTS

LOT OWNERS AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING, WHEN PERMITTED BY THE CITY OF

BIXBY, OCCASIONED BY NECESSARY INSTALLATION OR MAINTENANCE OF UNDERGROUND WATER, SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT. PROVIDED, HOWEVER, THE CITY OF BIXBY, OKLAHOMA OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

J. RESERVE 'A'

THE USE OF RESERVE 'A' SHALL BE LIMITED TO USE AS STORM WATER DETENTION, OVERLAND DRAINAGE EASEMENT, UTILITY EASEMENT, MAINTENANCE ACCESS, OPEN SPACE, SIDEWALKS, JOGGING TRAILS, AND LANDSCAPING AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS' ASSOCIATION, AS SET FORTH WITHIN SECTION IV, TO BE FORMED FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION.

K. RESERVE 'B'

THE USE OF RESERVE 'B' SHALL BE LIMITED TO USE AS STORM WATER DETENTION, OVERLAND DRAINAGE EASEMENT, MAINTENANCE ACCESS, OPEN SPACE, SIDEWALKS, JOGGING TRAILS, LANDSCAPING AND A MUTUAL ACCESS EASEMENT, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS' ASSOCIATION, AS SET FORTH WITHIN SECTION IV, TO BE FORMED FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION.

L. RESERVE 'C' AND 'D'

THE USE OF RESERVE 'C' AND 'D' SHALL BE LIMITED TO USE AS MAINTENANCE ACCESS, OPEN SPACE, SIDEWALKS, JOGGING TRAILS, AND LANDSCAPING AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS' ASSOCIATION, AS SET FORTH WITHIN SECTION IV, TO BE FORMED FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE RESERVE AT WHITE HAWK WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS BXPUD-18.10 MA3 - MAJOR AMENDMENT TO PUD 03) AS PROVIDED WITHIN THE PROVISIONS OF THE BIXBY ZONING CODE PERTAINING TO PLANNED UNIT DEVELOPMENTS (PUDS), AND

WHEREAS, BXPUD-18.10 MA3 WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON OCTOBER 15, 2018 AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, ON OCTOBER 22, 2018 THE IMPLEMENTING ORDINANCE NO. 2262 BEING ADOPTED AND PUBLISHED ON NOVEMBER 13, 2018, AND

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

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

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

A. DEVELOPMENT IN ACCORDANCE WITH PUD

THE RESERVE AT WHITE HAWK SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF BXPUD-18.10 MA3 APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF BXPUD-18.10 MA3 AS MAY BE SUBSEQUENTLY APPROVED.

B. APPLICABLE ORDINANCE

THE DEVELOPMENT OF THE RESERVE AT WHITE HAWK SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE, AS SUCH PROVISIONS EXISTED ON OCTOBER 22, 2018.

C. USE

USES PERMITTED AS A MATTER OF RIGHT IN THE RS-2 RESIDENTIAL SINGLE-FAMILY MEDIUM DENSITY DISTRICT, ALONG WITH CUSTOMARY AND ACCESSORY USES, INCLUDING, BUT NOT LIMITED TO, DETACHED ACCESSORY BUILDINGS, SWIMMING POOLS, LANDSCAPED ENTRY, LANDSCAPING, OPEN SPACE, GREEN SPACE, TRAILS, PONDS, STORM WATER DRAINAGE AND DETENTION FACILITIES, RECREATIONAL FACILITIES, UTILITY EASEMENTS, RETAINING WALLS AND OTHER STRUCTURES AND USES CUSTOMARILY ACCESSORY TO THE PERMITTED USES.

D. DEVELOPMENT STANDARDS

RESIDENTIAL USE: EXCEPT AS AMENDED HEREBY, THE DEVELOPMENT STANDARDS FOR THE RESIDENTIAL USE OF DEVELOPMENT AREA 'A' ARE AS SET FORTH IN THE RS-2 ZONING DISTRICT.

SIGNS: ONE (1) ENTRY IDENTIFICATION SIGN SHALL BE MAINTAINED WITH A MAXIMUM SURFACE DISPLAY AREA OF 64 SF ON EACH SIDE OF EACH ENTRANCE ALONG SOUTH YALE AVENUE AND SOUTH 53RD EAST AVENUE.

BUILDING MATERIALS: THE EXTERIOR WALLS OF THE FIRST FLOOR (UP TO THE TOP OF THE FIRST FLOOR PLATE LINE) OF A DWELLING SHALL BE OF AT LEAST SEVENTY-FIVE PERCENT (75%) MASONRY OR STONE; PROVIDED THAT THE AREA OF ALL WINDOWS, DOORS, OTHER OPENINGS, AND COVERED PORCHES LOCATED ON SAID EXTERIOR WALLS SHALL BE EXCLUDED IN THE DETERMINATION OF THE AREA OF THE EXTERIOR WALLS.

MINIMUM SIZE OF DWELLING UNIT (SINGLE-STORY): 2,400 SQUARE FEET

E. SITE PLAN REVIEW AND COMPLIANCE WITH APPROVED PLANS

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

F. DEFINITIONS

IN THE EVENT OF AMBIGUITY OF ANY WORD OR TERM SET FORTH IN THIS SECTION II, THE MEANING THEREOF SHALL BE DEEMED TO BE DEFINED AS SET FORTH WITHIN THE BIXBY ZONING CODE AS THE SAME EXISTED ON OCTOBER 22, 2018.

DRAFT FINAL PLAT #1

11/8/2023 - REVISED PER TAC COMMENTS

SECTION III. PRIVATE COVENANTS

FOR THE PURPOSE OF PROVIDING AN ORDERLY DEVELOPMENT OF THE ADDITION AND FOR MAINTAINING CONFORMITY FOR THE IMPROVEMENTS THEREIN, THE FOLLOWING RESTRICTIONS AND COVENANTS ARE HEREBY IMPOSED UPON THE USE AND OCCUPANCY OF THE LOTS WITHIN THE ADDITION.

A. ARCHITECTURAL COMMITTEE - PLAN REVIEW:

1. NO BUILDING, FENCE OR WALL SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT IN THE NEIGHBORHOOD UNTIL THE BUILDING PLANS AND SPECIFICATIONS THEREFORE, DRAINAGE AND GRADING PLANS OF THE LOT, EXTERIOR COLOR SCHEME AND MATERIAL THEREOF, AND PLOT PLAN THEREOF (WHICH PLOT PLAN SHOWS THE LOCATION AND FACING OF SUCH STRUCTURE(S)) HAVE BEEN APPROVED IN WRITING BY A MAJORITY OF AN ARCHITECTURAL COMMITTEE COMPOSED OF WHMR OR THEIR DULY AUTHORIZED REPRESENTATIVE, REPRESENTATIVES OR SUCCESSORS. IN THE EVENT OF THE DEATH OR RESIGNATION OF ANY MEMBER OF THE ABOVE NAMED COMMITTEE, THE REMAINING MEMBER OR MEMBERS SHALL HAVE FULL AUTHORITY TO APPROVE OR DISAPPROVE SUCH PLANS, SPECIFICATIONS, COLOR SCHEME, MATERIALS AND PLOT PLAN, OR TO DESIGNATE A REPRESENTATIVE OR REPRESENTATIVES WITH LIKE AUTHORITY, AND SAID REMAINING MEMBER OR MEMBERS SHALL HAVE AUTHORITY TO FILL ANY VACANCY OR VACANCIES CREATED BY THE DEATH OR RESIGNATION OF ANY OF THE AFORESAID MEMBERS, AND SAID NEWLY APPOINTED MEMBER SHALL HAVE THE SAME AUTHORITY HEREUNDER AS HIS PREDECESSOR, AS ABOVE SET FORTH. IN THE EVENT THE ARCHITECTURAL COMMITTEE FAILS TO APPROVE OR DISAPPROVE OF ANY SUCH PLANS, SPECIFICATIONS, COLOR SCHEME, MATERIALS AND PLOT PLANS SUBMITTED TO IT AS HEREIN REQUIRED WITHIN TEN (10) DAYS AFTER SUCH SUBMISSION, OR IN THE EVENT NO SUIT TO ENJOIN THE ERECTION OF SUCH STRUCTURE OR THE MAKING OF SUCH ALTERATION HAS BEEN COMMENCED PRIOR TO THE COMPLETION THEREOF, SUCH APPROVAL SHALL NOT BE REQUIRED, AND THIS COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.
2. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITH THE SUBDIVISION AND IN ITS REVIEW OF PLANS, SPECIFICATIONS, PLOT PLANS, COLOR SCHEMES AND MATERIALS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED, MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED 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 PLANS, SPECIFICATIONS, PLOT PLAN AND OTHER SUBMITTALS SHALL NOT CONSTITUTE A WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE OR CODE VIOLATIONS. THE APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE OF ANY PLANS, SPECIFICATIONS, PLOT PLANS OR OTHER SUBMITTALS 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, IN ANYWAY BE DEEMED TO PREVENT ANY OF THE OWNERS OF PROPERTY IN THE SUBDIVISION FROM MAINTAINING ANY LEGAL ACTION RELATING TO IMPROVEMENTS WITHIN THE SUBDIVISION, WHICH THEY WOULD OTHERWISE BE ENTITLED TO MAINTAIN.
3. THE POWERS AND DUTIES OF THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVE SHALL CEASE ON THE FIRST DAY OF JANUARY 2024, OR ON THE DATE THE COMMITTEE'S POWERS AND DUTIES ARE TRANSFERRED TO THE NEIGHBORHOOD HOMEOWNERS ASSOCIATION (LATER DEFINED HEREIN), WHICHEVER EVENT OCCURS FIRST. THEREAFTER, THE POWERS AND DUTIES OF THE COMMITTEE SHOULD BE EXERCISED BY SAID NEIGHBORHOOD HOMEOWNERS ASSOCIATION.

B. GARAGES

EACH DWELLING SHALL HAVE AN ENCLOSED GARAGE FOR AT LEAST TWO (2) AUTOMOBILES.

C. BUILDING MATERIAL REQUIREMENTS

1. EXTERIOR WALLS. THE EXTERIOR WALLS OF THE FIRST FLOOR (UP TO THE TOP OF THE FIRST FLOOR PLATE LINE) OF A DWELLING SHALL BE OF AT LEAST SEVENTY-FIVE PERCENT (75%) MASONRY OR STONE; PROVIDED THAT THE AREA OF ALL WINDOWS, DOORS, OTHER OPENINGS, AND COVERED PORCHES LOCATED ON SAID EXTERIOR WALLS SHALL BE EXCLUDED IN THE DETERMINATION OF THE AREA OF THE EXTERIOR WALLS.
2. WINDOWS AND DOORS. ALL DOORS AND WINDOWS IN EACH DWELLING OTHER THAN WOOD OR VINYL WILL BE EITHER ANODIZED OR ELECTROSTATICALLY PAINTED. METAL WINDOW FRAMES SHOULD BE CONSISTENT WITH THE EXTERIOR COLOR AND TEXTURE OF THE RESIDENCE. NO UNPAINTED ALUMINUM WILL BE PERMITTED FOR WINDOW FRAMING. WOOD FRAMES WILL BE PAINTED, SEALED OR STAINED.
3. ROOFING. THE ROOF OF THE DWELLING ERECTED ON ANY LOT SHALL BE EITHER HEAVY DUTY (TAB-TYPE) COMPOSITION SHINGLES (WEATHERWOOD COLOR) GAF "TIMBERLINE ULTRA" OR APPROVED EQUAL, OR STANDING SEAM METAL. ALL METAL ROOF DESIGNS REMAIN SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL COMMITTEE. THE MINIMUM ROOF PITCH SHALL BE AN 8/12 PITCH ON THE FORWARD FACING GABLES.
4. WAIVER. THE ARCHITECTURAL COMMITTEE MAY WAIVE, IN A PARTICULAR INSTANCE, THE BUILDING MATERIAL REQUIREMENTS SET OUT IN PARAGRAPHS 1, 2 AND 3 OF THIS SUBSECTION C; PROVIDED, SUCH WAIVER, TO BE EFFECTIVE, MUST BE IN WRITING, DATED AND SIGNED BY A MAJORITY OF SUCH COMMITTEE.

D. STEM WALLS

ALL EXPOSED FOUNDATION OR STEM WALLS SHALL BE A BRICK, STONE OR STUCCO. NO CONCRETE BLOCKS, POURED CONCRETE OR ANY OTHER FOUNDATION WILL BE EXPOSED. NO STEM WALLS WILL BE EXPOSED.

E. COMMERCIAL STRUCTURES

NO BUILDING OR STRUCTURE SHALL BE PLACED, ERECTED OR USED AT ANYTIME FOR ANY BUSINESS, PROFESSIONAL, TRADE OR COMMERCIAL PURPOSE ON ANY PORTION OF ANY LOT.

F. LIVESTOCK AND POULTRY PROHIBITED

NO ANIMALS, LIVESTOCK OR POULTRY (INCLUDING PIGEONS) OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT OR PART THEREOF, EXCEPT THAT DOGS, CATS OR OTHER HOUSEHOLD PETS MAY BE KEPT; PROVIDED, THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

G. NOXIOUS ACTIVITY

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY MAY BE CONDUCTED UPON ANY LOT, NOR SHALL ANY TRASH OR OTHER REFUSE BE THROWN, PLACED OR DUMPED ON ANY VACANT LOT, NOR SHALL ANYTHING BE DONE WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

H. SIGNS

THE CONSTRUCTION OR MAINTENANCE OF ADVERTISING SIGNS OR OTHER ADVERTISING STRUCTURES ON ANY LAW IS PROHIBITED, EXCEPT AS FOLLOWS:

1. SIGNS ADVERTISING THE SALE OF A LOT FOR SALE OR RENTAL OR THE IMPROVEMENTS THEREON ARE PERMITTED; PROVIDED, THEY DO NOT EXCEED NINE (9) SQUARE FEET IN DISPLAY SURFACE AREA.
2. DURING THE DEVELOPMENT PERIOD OF THE SUBDIVISION, SIGNS ADVERTISING THE SUBDIVISION OR THE INITIAL OFFERING OF A LOT OR LOTS MAY BE LOCATED AT THE ENTRANCE TO THE SUBDIVISION.
3. PERMANENT SIGNS IDENTIFYING THE SUBDIVISION MAY BE LOCATED WITHIN THE PRIVATE STREET RIGHT-OF-WAY AT THE ENTRANCE OF THE SUBDIVISION.

I. EXISTING BUILDINGS

NO EXISTING BUILDING OR USED STRUCTURE OF ANY KIND MAY BE MOVED ONTO OR PLACED ON ANY LOT; PROVIDED, HOWEVER, THAT THE OWNER, AS DEVELOPER OF THE SUBDIVISION, MAY MAINTAIN A SALES OFFICE IN A TEMPORARY STRUCTURE FOR THE SALE OF LOTS OR HOMES IN THE SUBDIVISION.

J. TEMPORARY STRUCTURES AND OUTBUILDINGS

1. NO TRAILER, TENT, GARAGE, BARN, OUTBUILDING, NOR ANY STRUCTURE OF A TEMPORARY NATURE SHALL AT ANYTIME BE USED FOR HUMAN HABITATION, TEMPORARILY OR PERMANENTLY.
2. ANY THE BUILDING THAT IS DETACHED FROM THE PRINCIPLE DWELLING ON A LOT SHALL BE LIMITED TO BUILDINGS CUSTOMARILY ACCESSORY TO A SINGLE-FAMILY DWELLING, SHALL BE OF A SIMILAR ARCHITECTURAL DESIGN AS THE PRINCIPLE DWELLING, AND SHALL NOT BE ERECTED UNTIL THE PLANS, SPECIFICATIONS AND DESIGN THEREOF ARE APPROVED BY THE ARCHITECTURAL COMMITTEE.

K. VEHICLE STORAGE AND PARKING

1. NO INOPERATIVE VEHICLE SHALL BE STORED ON ANY LOT EXCEPT WITHIN AN ENCLOSED GARAGE. NO MOTOR HOME, BOAT, TRAILER, TRAVEL TRAILER OR SIMILAR RECREATIONAL VEHICLE SHALL BE LOCATED, PARKED OR STORED WITHIN A SIDE OR FRONT YARD, AND IF NOT LOCATED WITHIN AN ENCLOSED GARAGE, SHALL BE SCREENED SUFFICIENTLY TO PREVENT ANY VIEW THEREOF FROM ANY STREET WITHIN THE SUBDIVISION.

L. ANTENNAS

NO EXTERIOR RADIO OR TELEVISION TOWER, AERIAL, OR ANTENNA SHALL BE LOCATED UPON ANY LOT. SATELLITE DISHES SHALL BE NO LARGER THAN 18" IN DIAMETER AND BE SCREENED FROM THE VIEW FROM THE STREET AND ADJACENT RESIDENTIAL LOTS WITHIN THE SUBDIVISION.

M. LANDSCAPING REQUIREMENTS

THE FRONT ELEVATION OF ALL RESIDENTIAL LOTS MUST BE PROFESSIONALLY LANDSCAPED UPON COMPLETION OF THE RESIDENCE. ALL FRONT, SIDE AND BACK YARDS MUST BE SORTED ON THE COMPLETION OF ANY RESIDENCE IN THE SUBDIVISION. ALL PROPOSED LANDSCAPING A POINT EVERY LOT WITHIN THE SUBDIVISION MUST RECEIVE APPROVAL BY THE ARCHITECTURAL COMMITTEE.

N. INTERIOR FENCES AND WALLS

INTERIOR FENCES AND WALLS SITUATED UPON RESIDENTIAL LOTS SHALL COMPLY WITH THE FOLLOWING STANDARDS:

1. NO SUCH FENCE OR WALL SHALL EXCEED SIX (6) FEET IN HEIGHT. NO FENCE OR WALL SHALL BE ERECTED OR MAINTAINED NEARER TO THE STREETS WITHIN THE SUBDIVISION THAN THE BUILDING SETBACK LINES DEPICTED ON THE PLAT.
2. ALL FENCES SHALL CONSIST ENTIRELY OF WOOD, BRICK, NATURAL STONE, WROUGHT IRON, OR SOME COMBINATION THEREOF. THE ARCHITECTURAL COMMITTEE MAY, BUT NOT BE OBLIGATED TO, GRANT AN EXCEPTION TO THIS PROVISION UPON WRITTEN REQUEST.
3. ALL FENCING ADJACENT TO RESERVE AREAS 'A', 'B' AND 'C' SHALL BE CONSISTENT. ANY VARIANCE MUST BE APPROVED BY THE ARCHITECTURAL COMMITTEE.

O. RETAINING WALLS

RETAINING WALLS SHALL BE CONSTRUCTED OF THE SAME MATERIALS AS USED IN THE CONSTRUCTION OF THE DWELLINGS SITUATED ON THE LOT AND SHALL CONFORM TO THE SAME ARCHITECTURE UTILIZED FOR SUCH DWELLING. NO RAILROAD TIES MAY BE USED IN THE CONSTRUCTION OF ANY RETAINING WALL. PLANS FOR ALL RETAINING WALLS MUST BE SUBMITTED AND APPROVED BY THE ARCHITECTURAL COMMITTEE AND BY THE CITY OF BIXBY IF LOCATED IN ANY UTILITY OR DRAINAGE EASEMENT.

P. MAILBOXES

ALL MAILBOXES SHALL BE A SINGULAR DESIGN FOR THE LOTS WITHIN SUBDIVISION AS APPROVED BY THE ARCHITECTURAL COMMITTEE. NO MAILBOX SHALL BE ERECTED ON ANY RESIDENTIAL LOT WITHOUT THE APPROVAL OF THE DESIGN BY THE ARCHITECTURAL COMMITTEE.

Q. TRASH RECEPTACLES

TRASH RECEPTACLES SHALL NOT BE LEFT CURBSIDE FOR MORE THAN A 24 HOUR PERIOD OF TIME. ALL TRASH RECEPTACLES SHALL BE KEPT INSIDE OF A GARAGE OR SCREENED FROM VIEW FROM ALL STREETS WITHIN THE SUBDIVISION.

R. BUILDING REQUIREMENTS AND AMENDMENTS

ANY MODIFICATIONS ARE AMENDMENTS TO THE BUILDING/ARCHITECTURAL REQUIREMENTS LISTED UNDER THIS SECTION III SHALL ONLY BE ALLOWED WITH ARCHITECTURAL COMMITTEE APPROVAL AS DESCRIBED UNDER SECTION III.A HEREOF.

SECTION IV. HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

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

B. MEMBERSHIP

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

C. ASSESSMENT

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

SECTION V. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I. WHETHER OR NOT SPECIFICALLY THEREIN SO STATED SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE AND SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, ANY OWNER OF A LOT AND THE HOMEOWNERS' ASSOCIATION. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II, IT SHALL BE LAWFUL FOR THE CITY OF BIXBY, ANY OWNER OF A LOT OR THE HOMEOWNERS' ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. THE COVENANTS CONTAINED IN SECTION III. PRIVATE COVENANTS AND SECTION IV. HOMEOWNERS' ASSOCIATION SHALL INURE TO THE BENEFIT OF ANY OWNER OF A LOT AND THE HOMEOWNERS' ASSOCIATION. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW, IS

HEREBY WAIVED. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT OR THE ASSOCIATION, WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED IN SECTION 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, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL, BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN TWENTY (20) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION, AND SHALL AUTOMATICALLY RENEW OR EXTEND THEREAFTER, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS. THE COVENANTS CONTAINED WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS. NOTWITHSTANDING THE FOREGOING THE PRIVATE COVENANTS CONTAINED WITHIN SECTION II, SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF A MINOR AMENDMENT TO BXPUD-18.10 MA3 BY THE BIXBY PLANNING COMMISSION OR ITS SUCCESSORS AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE BIXBY PLANNING COMMISSION OR ITS SUCCESSORS WITH THE TULSA COUNTY CLERK. THE COVENANTS AND RESTRICTIONS CONTAINED WITHIN SECTION III. PRIVATE COVENANTS AND SECTION IV. HOMEOWNERS' ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER/DEVELOPER DURING SUCH PERIOD THAT THE OWNER/DEVELOPER IS THE OWNER OF AT LEAST ONE (1) LOT, OR ALTERNATIVELY THE COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A MAJORITY VOTE OF THE MEMBERS OF THE 'HOMEOWNER' ASSOCIATION AS EVIDENCED BY WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE PRESIDENT OF THE HOMEOWNERS' ASSOCIATION. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER/DEVELOPER DURING ITS OWNERSHIP OF AT LEAST ONE (1) LOT AND ANY AMENDMENT OR TERMINATION EVIDENCED BY AN INSTRUMENT PROPERLY EXECUTED BY THE PRESIDENT OF THE HOMEOWNERS' ASSOCIATION, THE INSTRUMENT EXECUTED BY THE OWNER/DEVELOPER SHALL PREVAIL DURING ITS OWNERSHIP OF AT LEAST ONE (1) LOT. 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, 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, WHITE HAWK MANAGEMENT RESOURCES, LLC., AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2023.

WHITE HAWK MANAGEMENT RESOURCES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
JONATHAN WEDEL, OPERATING MANAGER

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2023, PERSONALLY APPEARED JONATHAN WEDEL, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE FOREGOING DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS OPERATING MANAGER OF WHITE HAWK MANAGEMENT RESOURCES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, AND 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.

WITNESS MY HAND AND SEAL THE DAY AND YEAR ABOVE WRITTEN.

S. ASHLEY MCCARTY

MY COMMISSION EXPIRES: 8/13/2026
MY COMMISSION NUMBER: 18008059

CERTIFICATE OF SURVEY

I, ANDY FRITZ, OF FRITZ LAND SURVEYING, LLC, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF AUTHORIZATION #5848, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "THE RESERVE AT WHITE HAWK", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

ANDY FRITZ
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1694

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2023, PERSONALLY APPEARED ANDY FRITZ, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS A LICENSED LAND SURVEYOR TO THE FOREGOING CERTIFICATE OF SURVEY AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

JENNIFER FRITZ

MY COMMISSION EXPIRES: 6/23/2026
MY COMMISSION NUMBER: 14005589



DRAFT FINAL PLAT #1
11/8/2023 - REVISED PER TAC COMMENTS



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: Gwen Plante, Assistant City Planner
Date: December 12, 2023
RE: **The Reserve at White Hawk NW Blocks 7-9**
Preliminary and Final Plat (BXPT 23.18)
Location: South East corner of East 141st and South Yale Avenue
10.26 Acres (+/-)
STR: Section 15, Township 17, Range 13
Applicant: White Hawk Investments, LLC

SITE STATS:

Acres: 10.26 +/-	Min. Lot Width: 75	DU/acre:
Number of Lots: 15	Number of Blocks: 3	Reserve Areas: 2

REQUEST: The applicant is requesting Preliminary and Final Plat approval for the Reserve at White Hawk Blocks 7-9.

EXISTING ZONING: Residential Single-Family (RS-2) with PUD.
BXPUD 18.10 MA 3

ABUTTING ZONING:

North: Not in the City Limits of Bixby
East: (AG) Agriculture
South: (RM-2) Residential Multi-Family
West: (AG) Agriculture, (RS-3) Residential Single-Family

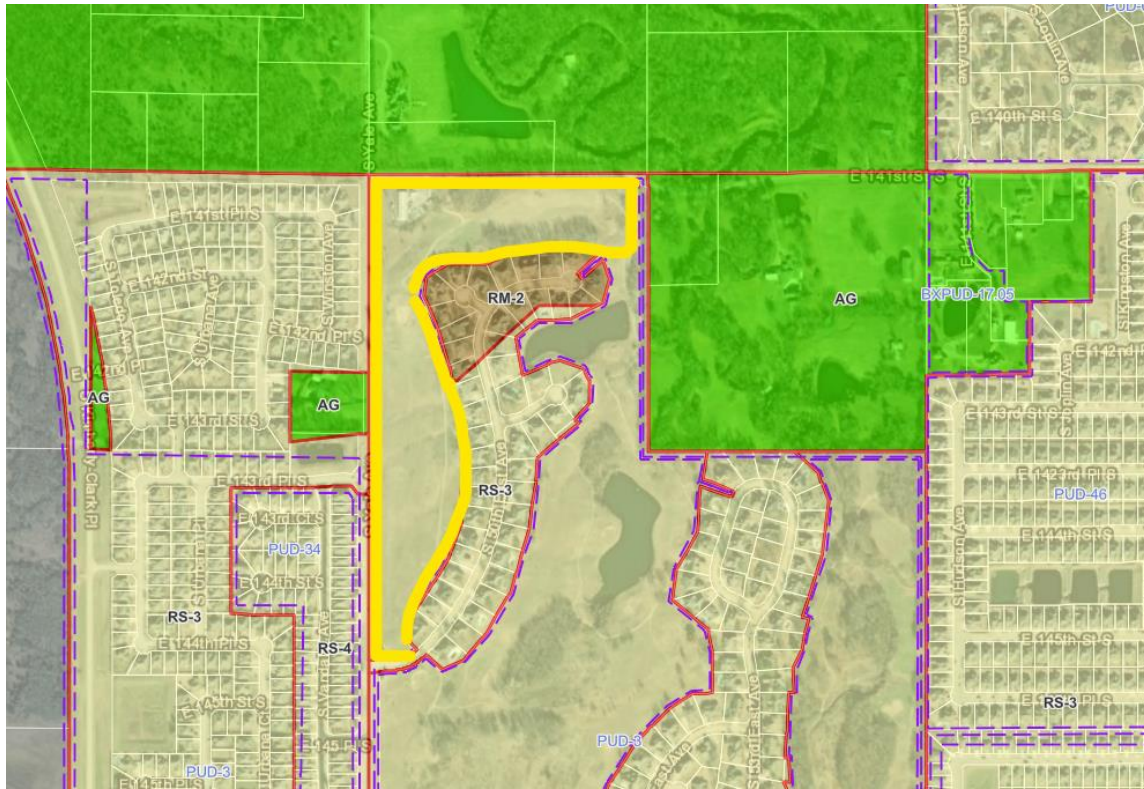


Exhibit A: City of Bixby Zoning Map

Staff Review

The applicant is requesting a Preliminary Plat and Final Plat. The proposed development is consistent with development patterns on adjacent and surrounding properties within this development. The Plat is in conformance with the PUD.

Utilities/Site Area: There is an existing 8" waterline that runs North along 141st Street South. There is also a 12" water line that runs along the West of the property along South Yale Avenue. There is an 8" sewer line to the South.

Planning Review Comments:

None

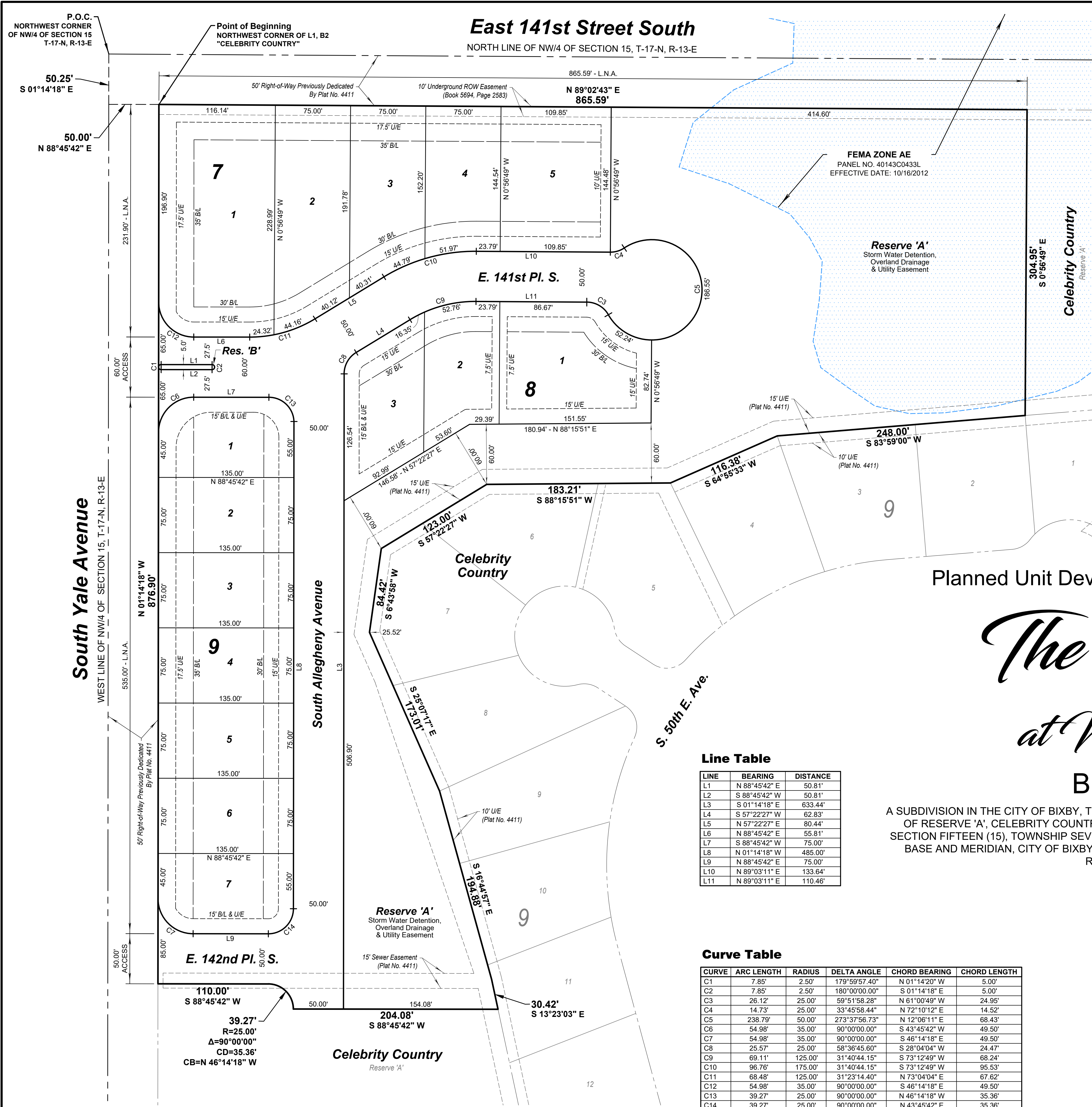
Engineering Comments:

None

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

Attachments:

Exhibit A: City of Bixby Zoning Map
Exhibit B: Preliminary Plat
Exhibit C: Final Plat with Deed of Dedication



Subdivision Statistics

SUBDIVISION CONTAINS FIFTEEN (15) LOTS IN THREE (3) BLOCKS AND TWO (2) RESERVE AREAS
GROSS SUBDIVISION AREA: 446,908.0 SF OR 10.26 ACRES

Basis of Bearings

OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

Monumentation

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

Benchmark

TOPOGRAPHIC INFORMATION SHOWN HEREON IS RELATIVE TO NAVD88 PER AN ON-SITE NGS OPUS SOLUTION REPORT.

Floodplain Data

PROPERTY IS SITUATED IN ZONE 'AE', SHADED ZONE 'X' AND UNSHADED ZONE 'X' PER FEMA FLOODPLAIN MAP NO. 40143C0433L - DATED OCTOBER 16, 2012.

Owner / Developer

WHITE HAWK INVESTMENTS, LLC
4512 EAST 51ST STREET SOUTH, SUITE 100
TULSA, OKLAHOMA 74135
PHONE: (405) 742-7117
MR. JONATHAN WEDEL

Surveyor

FRITZ LAND SURVEYING, LLC
524 E. MAIN ST.
JENKS, OK 74037
PHONE: (918) 528-5121
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2024

Engineer

ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0980
EMAIL: ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES: 6-30-2024

Planned Unit Development: BXPUD-18.10 MA3

The Reserve
at White Hawk
BLOCKS 7-9

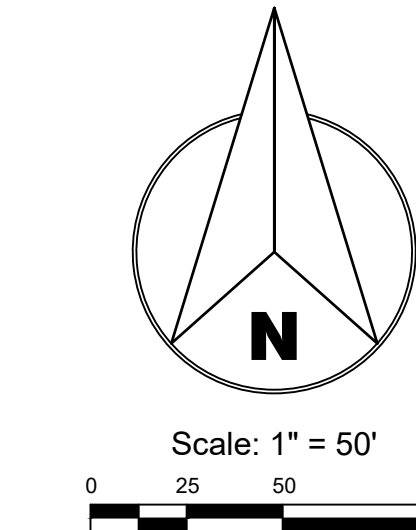
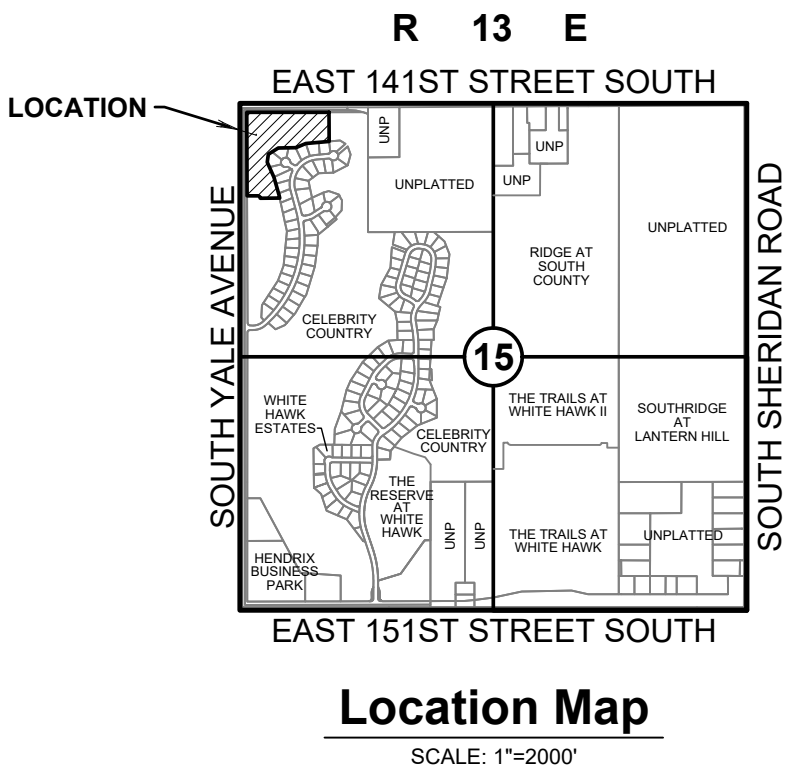
A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, BEING A RE-PLAT OF PART OF RESERVE 'A', CELEBRITY COUNTRY (PLAT NO. 4411), AN ADDITION TO THE WEST HALF (W/2) OF SECTION FIFTEEN (15), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

Line Table

LINE	BEARING	DISTANCE
L1	N 88°45'42" E	50.81'
L2	S 88°45'42" W	50.81'
L3	S 01°14'18" E	633.44'
L4	S 57°22'27" W	62.83'
L5	N 57°22'27" E	80.44'
L6	N 88°45'42" E	55.81'
L7	S 88°45'42" W	75.00'
L8	N 01°14'18" W	485.00'
L9	N 88°45'42" E	75.00'
L10	N 89°03'11" E	133.64'
L11	N 89°03'11" E	110.46'

Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	7.85'	2.50'	179°59'57.40"	N 01°14'20" W	5.00'
C2	7.85'	2.50'	180°00'00.00"	S 01°14'18" E	5.00'
C3	26.12'	25.00'	59°51'58.28"	N 61°00'49" W	24.95'
C4	14.73'	25.00'	33°45'58.44"	N 72°10'12" E	14.52'
C5	238.79'	50.00'	273°37'56.73"	N 12°06'11" E	68.43'
C6	54.98'	35.00'	90°00'00.00"	S 43°45'42" W	49.50'
C7	54.98'	35.00'	90°00'00.00"	S 46°14'18" E	49.50'
C8	25.57'	25.00'	58°36'45.60"	S 28°04'04" W	24.47'
C9	69.11'	125.00'	31°40'44.15"	S 73°12'49" W	68.24'
C10	96.76'	175.00'	31°40'44.15"	S 73°12'49" W	95.53'
C11	68.48'	125.00'	31°23'14.40"	N 73°04'04" E	67.62'
C12	54.98'	35.00'	90°00'00.00"	S 46°14'18" E	49.50'
C13	39.27'	25.00'	90°00'00.00"	N 46°14'18" W	35.36'
C14	39.27'	25.00'	90°00'00.00"	N 43°45'42" E	35.36'



Legend

- B/L -- BUILDING SETBACK LINE
- L.N.A. -- LIMITS OF NO ACCESS
- P.O.C. -- POINT OF COMMENCEMENT
- RES -- RESERVE
- SS/E -- SANITARY SEWER EASEMENT
- U/E -- UTILITY EASEMENT

Address Note

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.

Lot Area & Address Table

BLOCK	LOT	STREET ADDRESS	LOT AREA (SF)
7	1	4929 SOUTH ALLEGHENY AVE.	26,480.93
	2	4951 SOUTH ALLEGHENY AVE.	15,989.65
	3	4983 SOUTH ALLEGHENY AVE.	12,741.11
	4	5009 SOUTH ALLEGHENY AVE.	10,970.04
	5	5055 SOUTH ALLEGHENY AVE.	15,878.98
8	1	5050 E. 141ST PL. S.	16,975.73
	2	5008 E. 141ST PL. S.	9,645.59
	3	4986 E. 141ST PL. S.	11,171.37
9	1	14158 E. 141ST PL. S.	10,402.99
	2	14186 E. 141ST PL. S.	10,125
	3	14200 E. 141ST PL. S.	10,125
	4	14222 E. 141ST PL. S.	10,125
	5	14254 E. 141ST PL. S.	10,125
	6	14286 E. 141ST PL. S.	10,125
	7	14262 E. 141ST PL. S.	10,665.87

DRAFT FINAL PLAT #1

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS

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

DATED THE _____ DAY OF _____, 2023.

MICHAEL WILLIS, TULSA COUNTY CLERK

DEPUTY

11/8/2023 - REVISED PER TAC COMMENTS

THE RESERVE AT WHITE HAWK, BLOCKS 7-9
PLANNED UNIT DEVELOPMENT - BXPUD-18.10 MA3

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

WHITE HAWK MANAGEMENT RESOURCES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER TOGETHER REFERRED TO AS THE "OWNER/DEVELOPER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

A TRACT OF LAND THAT IS PART OF RESERVE "A", CELEBRITY COUNTRY, PLAT NO. 4411, AN ADDITION TO THE WEST HALF (W/2) OF SECTION FIFTEEN (15), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE SOUTH 01°14'18" EAST ALONG THE WEST LINE THEREOF 50.25 FEET; THENCE NORTH 88°45'42" EAST A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID RESERVE "A" AND THE POINT OF BEGINNING; THENCE NORTH 89°02'43" EAST ALONG THE NORTH LINE THEREOF 865.59 FEET; THENCE SOUTH 00°56'49" EAST A DISTANCE OF 304.95 FEET TO THE NORTHEAST CORNER OF LOT TWO (2), BLOCK NINE (9) OF SAID CELEBRITY COUNTRY; THENCE SOUTH 83°59'00" WEST ALONG THE NORTH LINE OF LOTS 2 AND THREE (3) OF SAID BLOCK 9 A DISTANCE OF 248.00 FEET TO THE NORTHEAST CORNER OF LOT FOUR (4) OF SAID BLOCK 9; THENCE SOUTH 84°55'33" WEST ALONG THE NORTH LINE THEREOF A DISTANCE OF 116.38 FEET TO THE NORTHEAST CORNER OF LOT FIVE (5) OF SAID BLOCK 9; THENCE SOUTH 88°15'51" WEST ALONG THE NORTH LINE OF LOTS 5 AND SIX (6) OF SAID BLOCK 9 A DISTANCE OF 183.21 FEET TO THE NORTHERNMOST CORNER OF SAID LOT 6; THENCE SOUTH 57°22'27" WEST ALONG THE NORTH LINE OF LOTS 6 AND SEVEN (7) A DISTANCE OF 123.00 FEET; THENCE SOUTH 06°43'58" WEST ALONG THE WEST LINE OF SAID LOT 7 A DISTANCE OF 84.42 FEET; THENCE SOUTH 25°07'17" EAST ALONG THE WEST LINE OF LOTS 7 AND EIGHT (8) OF SAID BLOCK 9 A DISTANCE OF 173.01 FEET TO THE NORTHWEST CORNER OF LOT NINE OF SAID BLOCK 9; THENCE SOUTH 16°44'57" EAST ALONG THE WEST LINE OF LOTS 9, TEN (10) AND ELEVEN (11) OF SAID BLOCK 9 A DISTANCE OF 194.88 FEET; THENCE SOUTH 13°23'03" EAST AND CONTINUING ALONG THE WEST LINE OF SAID LOT 11 A DISTANCE OF 30.42 FEET; THENCE SOUTH 88°45'42" WEST AND DEPARTING THE WEST LINE OF SAID BLOCK 9 A DISTANCE OF 204.08 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.27 FEET, A CHORD BEARING OF NORTH 46°14'18" WEST AND A CHORD LENGTH OF 35.36 FEET; THENCE SOUTH 88°45'42" WEST A DISTANCE OF 110.00 FEET TO A POINT ON THE WESTERLY LINE OF SAID RESERVE "A"; SAID POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH YALE AVENUE; THENCE NORTH 01°14'18" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 876.90 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 446,908.0 SQ. FEET OR 10.26 ACRES.

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

AND HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, GRANTED, DONATED, CONVEYED, DEDICATED, ACCESS RIGHTS RESERVED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS AND STREETS, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT"; AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS "THE RESERVE AT WHITE HAWK, BLOCKS 7-9", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA (HEREINAFTER "THE RESERVE AT WHITE HAWK, BLOCKS 7-9" OR THE "SUBDIVISION").

SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UE" OR "UTILITY EASEMENT", FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

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

C. WATER, SANITARY SEWER AND STORM SEWER SERVICE

- LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON THEIR RESPECTIVE LOTS AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID PUBLIC WATER MAIN, PUBLIC SANITARY SEWER MAIN OR STORM SEWER.
- WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE IN EXCESS OF 3 FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED.
- THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER AND SEWER MAINS, BUT LOT OWNERS SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY THEIR ACTS AND/OR THE ACTS OF THEIR AGENTS OR CONTRACTORS.
- 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 LOT OWNERS AGREE 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 UTILITY EASEMENTS SHOWN ON THE PLAT OR AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING,

REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSE OF NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT OWNER'S 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 D SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE AND LOT OWNERS AGREE TO BE BOUND HEREBY.
- E. OVERLAND DRAINAGE EASEMENT
- THE OWNER/DEVELOPER DOES HEREBY GRANT AND ESTABLISH A PERPETUAL EASEMENT ON, OVER AND ACROSS RESERVE AREA 'A' AND 'B' (HEREINAFTER REFERRED TO AS THE "OVERLAND DRAINAGE EASEMENT AREAS") FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION.
 - DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE OVERLAND DRAINAGE EASEMENT AREAS SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.
 - DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION (TO BE FORMED PURSUANT TO SECTION IV) TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. THE HOMEOWNERS' ASSOCIATION SHALL PROVIDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE OVERLAND DRAINAGE EASEMENT AREAS WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:
 - THE OVERLAND DRAINAGE EASEMENT AREAS SHALL BE KEPT FREE OF LITTER.
 - THE OVERLAND DRAINAGE EASEMENT AREAS SHALL BE MOVED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.
 - IN THE EVENT THE ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE OVERLAND DRAINAGE EASEMENT AREAS AS ABOVE PROVIDED, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE STORM WATER DETENTION EASEMENT AREAS AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE ASSOCIATION.
 - IN THE EVENT THE ASSOCIATION, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, THE CITY OF BIXBY, OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH RESIDENTIAL LOT WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE LIEN AGAINST EACH RESIDENTIAL LOT SHALL BE LIMITED TO ITS PRO RATA SHARE OF THE COSTS.
 - A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

F. STORM WATER DETENTION

- THE OWNER/DEVELOPER DOES HEREBY GRANT TO THE CITY OF BIXBY, OKLAHOMA OR ITS SUCCESSORS, A PERPETUAL STORM WATER DETENTION EASEMENT ON, OVER AND ACROSS RESERVE AREAS 'A' AND 'B' FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS, RESERVE AREAS AND STREETS WITHIN THE SUBDIVISION, AND FROM AREAS OF HIGHER ELEVATION OUTSIDE THE SUBDIVISION.
- STORM WATER DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE STORM WATER DETENTION EASEMENT AREAS SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.
- STORM WATER DETENTION AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE ASSOCIATION (TO BE FORMED PURSUANT TO SECTION IV) TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND STORM WATER DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. THE ASSOCIATION SHALL PROVIDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE STORM WATER DETENTION EASEMENT AREAS WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:
 - THE STORM WATER DETENTION EASEMENT AREAS SHALL BE KEPT FREE OF LITTER.
 - THE STORM WATER DETENTION EASEMENT AREAS SHALL BE MOWED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.
- IN THE EVENT THE ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE STORM WATER DETENTION EASEMENT AREAS AS ABOVE PROVIDED, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE STORM WATER DETENTION EASEMENT AREAS AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE ASSOCIATION.
- IN THE EVENT THE ASSOCIATION, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, THE CITY OF BIXBY, OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH RESIDENTIAL LOT WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE LIEN AGAINST EACH RESIDENTIAL LOT SHALL BE LIMITED TO ITS PRO RATA SHARE OF THE COSTS.
- A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

G. SURFACE DRAINAGE AND LOT GRADING RESTRICTION

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

H. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT. THE L.N.A. MAY BE AMENDED OR RELEASED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF BIXBY, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA. THE L.N.A. ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA.

I. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

J. RESERVE 'A'

THE USE OF RESERVE 'A' SHALL BE LIMITED TO USE AS STORM WATER CONVEYANCE, MAINTENANCE ACCESS, OPEN SPACE, SIDEWALKS, JOGGING TRAILS, AND LANDSCAPING AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS' ASSOCIATION, AS SET FORTH WITHIN SECTION IV, TO BE FORMED FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION.

K. RESERVE 'B'

THE USE OF RESERVE 'B' SHALL BE LIMITED TO USE AS UTILITY EASEMENT, OPEN SPACE, LANDSCAPING, IRRIGATION, ENTRY WALLS AND/OR FEATURES AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS' ASSOCIATION, AS SET FORTH WITHIN SECTION IV, TO BE FORMED FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE RESERVE AT WHITE HAWK, BLOCKS 7-9 WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS BXPUD-18.10 MA3 - MAJOR AMENDMENT TO PUD 03) AS PROVIDED WITHIN THE PROVISIONS OF THE BIXBY ZONING CODE PERTAINING TO PLANNED UNIT DEVELOPMENTS (PUDS), AND

WHEREAS, BXPUD-18.10 MA3 WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON OCTOBER 15, 2018 AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, ON OCTOBER 22, 2018 THE IMPLEMENTING ORDINANCE NO. 2262 BEING ADOPTED AND PUBLISHED ON NOVEMBER 13, 2018, AND

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

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

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

A. DEVELOPMENT IN ACCORDANCE WITH PUD

THE RESERVE AT WHITE HAWK, BLOCKS 7-9 SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF BXPUD-18.10 MA3 APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF BXPUD-18.10 MA3 AS MAY BE SUBSEQUENTLY APPROVED.

B. APPLICABLE ORDINANCE

THE DEVELOPMENT OF THE RESERVE AT WHITE HAWK, BLOCKS 7-9 SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE, AS SUCH PROVISIONS EXISTED ON OCTOBER 22, 2018.

C. USE

USES PERMITTED AS A MATTER OF RIGHT IN THE RS-2 RESIDENTIAL SINGLE-FAMILY MEDIUM DENSITY DISTRICT, ALONG WITH CUSTOMARY AND ACCESSORY USES, INCLUDING, BUT NOT LIMITED TO, DETACHED ACCESSORY BUILDINGS, SWIMMING POOLS, LANDSCAPED ENTRY, LANDSCAPING, OPEN SPACE, GREEN SPACE, TRAILS, PONDS, STORM WATER DRAINAGE AND DETENTION FACILITIES, RECREATIONAL FACILITIES, UTILITY EASEMENTS, RETAINING WALLS AND OTHER STRUCTURES AND USES CUSTOMARILY ACCESSORY TO THE PERMITTED USES.

D. DEVELOPMENT STANDARDS

RESIDENTIAL USE: EXCEPT AS AMENDED HEREBY, THE DEVELOPMENT STANDARDS FOR THE RESIDENTIAL USE OF DEVELOPMENT AREA 'A' ARE AS SET FORTH IN THE RS-2 ZONING DISTRICT.

SIGNS: ONE (1) ENTRY IDENTIFICATION SIGN SHALL BE MAINTAINED WITH A MAXIMUM SURFACE DISPLAY AREA OF 64 SF ON EACH SIDE OF EACH ENTRANCE ALONG SOUTH YALE AVENUE AND SOUTH 53RD EAST AVENUE.

BUILDING MATERIALS: THE EXTERIOR WALLS OF THE FIRST FLOOR (UP TO THE TOP OF THE FIRST FLOOR PLATE LINE) OF A DWELLING SHALL BE OF AT LEAST SEVENTY-FIVE PERCENT (75%) MASONRY OR STONE; PROVIDED THAT THE AREA OF ALL WINDOWS, DOORS, OTHER OPENINGS, AND COVERED PORCHES LOCATED ON SAID EXTERIOR WALLS SHALL BE EXCLUDED IN THE DETERMINATION OF THE AREA OF THE EXTERIOR WALLS.

MINIMUM SIZE OF DWELLING UNIT (SINGLE-STORY): 2,400 SQUARE FEET

E. SITE PLAN REVIEW AND COMPLIANCE WITH APPROVED PLANS

THE APPROVED FINAL PLAT OF THE SUBDIVISION SHALL CONSTITUTE THE DETAILED SITE PLAN REQUIRED BY THE BIXBY ZONING CODE. THE DEVELOPMENT AND USE OF THE RESERVE AT WHITE HAWK, BLOCKS 7-9 SHALL BE IN COMPLIANCE WITH THE APPROVED BUILDING PLANS AND SIGN PLANS, AS MAY BE LATER APPROVED BY THE BIXBY PLANNING COMMISSION OR ITS SUCCESSOR.

F. DEFINITIONS

IN THE EVENT OF AMBIGUITY OF ANY WORD OR TERM SET FORTH IN THIS SECTION II, THE MEANING THEREOF SHALL BE DEEMED TO BE DEFINED AS SET FORTH WITHIN THE BIXBY ZONING CODE AS THE SAME EXISTED ON OCTOBER 22, 2018.

DRAFT FINAL PLAT #1
11/8/2023 - REVISED PER TAC COMMENTS

SECTION III. PRIVATE COVENANTS

FOR THE PURPOSE OF PROVIDING AN ORDERLY DEVELOPMENT OF THE ADDITION AND FOR MAINTAINING CONFORMITY FOR THE IMPROVEMENTS THEREIN, THE FOLLOWING RESTRICTIONS AND COVENANTS ARE HEREBY IMPOSED UPON THE USE AND OCCUPANCY OF THE LOTS WITHIN THE ADDITION.

A. ARCHITECTURAL COMMITTEE - PLAN REVIEW:

1. NO BUILDING, FENCE OR WALL SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT IN THE NEIGHBORHOOD UNTIL THE BUILDING PLANS AND SPECIFICATIONS THEREFORE, DRAINAGE AND GRADING PLANS OF THE LOT, EXTERIOR COLOR SCHEME AND MATERIAL THEREOF, AND PLOT PLAN THEREOF (WHICH PLOT PLAN SHOWS THE LOCATION AND FACING OF SUCH STRUCTURE(S)) HAVE BEEN APPROVED IN WRITING BY A MAJORITY OF AN ARCHITECTURAL COMMITTEE COMPOSED OF WHMR OR THEIR DULY AUTHORIZED REPRESENTATIVE, REPRESENTATIVES OR SUCCESSORS. IN THE EVENT OF THE DEATH OR RESIGNATION OF ANY MEMBER OF THE ABOVE NAMED COMMITTEE, THE REMAINING MEMBER OR MEMBERS SHALL HAVE FULL AUTHORITY TO APPROVE OR DISAPPROVE SUCH PLANS, SPECIFICATIONS, COLOR SCHEME, MATERIALS AND PLOT PLAN, OR TO DESIGNATE A REPRESENTATIVE OR REPRESENTATIVES WITH LIKE AUTHORITY, AND SAID REMAINING MEMBER OR MEMBERS SHALL HAVE AUTHORITY TO FILL ANY VACANCY OR VACANCIES CREATED BY THE DEATH OR RESIGNATION OF ANY OF THE AFORESAID MEMBERS, AND SAID NEWLY APPOINTED MEMBER SHALL HAVE THE SAME AUTHORITY HEREUNDER AS HIS PREDECESSOR, AS ABOVE SET FORTH. IN THE EVENT THE ARCHITECTURAL COMMITTEE FAILS TO APPROVE OR DISAPPROVE OF ANY SUCH PLANS, SPECIFICATIONS, COLOR SCHEME, MATERIALS AND PLOT PLANS SUBMITTED TO IT AS HEREIN REQUIRED WITHIN TEN (10) DAYS AFTER SUCH SUBMISSION, OR IN THE EVENT NO SUIT TO ENJOIN THE ERECTION OF SUCH STRUCTURE OR THE MAKING OF SUCH ALTERATION HAS BEEN COMMENCED PRIOR TO THE COMPLETION THEREOF, SUCH APPROVAL SHALL NOT BE REQUIRED, AND THIS COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.
2. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITH THE SUBDIVISION AND IN ITS REVIEW OF PLANS, SPECIFICATIONS, PLOT PLANS, COLOR SCHEMES AND MATERIALS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED, MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED 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 PLANS, SPECIFICATIONS, PLOT PLAN AND OTHER SUBMITTALS SHALL NOT CONSTITUTE A WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE OR CODE VIOLATIONS. THE APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE OF ANY PLANS, SPECIFICATIONS, PLOT PLANS OR OTHER SUBMITTALS 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, IN ANYWAY BE DEEMED TO PREVENT ANY OF THE OWNERS OF PROPERTY IN THE SUBDIVISION FROM MAINTAINING ANY LEGAL ACTION RELATING TO IMPROVEMENTS WITHIN THE SUBDIVISION, WHICH THEY WOULD OTHERWISE BE ENTITLED TO MAINTAIN.
3. THE POWERS AND DUTIES OF THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVE SHALL CEASE ON THE FIRST DAY OF JANUARY 2024, OR ON THE DATE THE COMMITTEE'S POWERS AND DUTIES ARE TRANSFERRED TO THE NEIGHBORHOOD HOMEOWNERS ASSOCIATION (LATER DEFINED HEREIN), WHICHEVER EVENT OCCURS FIRST. THEREAFTER, THE POWERS AND DUTIES OF THE COMMITTEE SHOULD BE EXERCISED BY SAID NEIGHBORHOOD HOMEOWNERS ASSOCIATION.

B. GARAGES

EACH DWELLING SHALL HAVE AN ENCLOSED GARAGE FOR AT LEAST TWO (2) AUTOMOBILES.

C. BUILDING MATERIAL REQUIREMENTS

1. EXTERIOR WALLS. THE EXTERIOR WALLS OF THE FIRST FLOOR (UP TO THE TOP OF THE FIRST FLOOR PLATE LINE) OF A DWELLING SHALL BE OF AT LEAST SEVENTY-FIVE PERCENT (75%) MASONRY OR STONE; PROVIDED THAT THE AREA OF ALL WINDOWS, DOORS, OTHER OPENINGS, AND COVERED PORCHES LOCATED ON SAID EXTERIOR WALLS SHALL BE EXCLUDED IN THE DETERMINATION OF THE AREA OF THE EXTERIOR WALLS.
2. WINDOWS AND DOORS. ALL DOORS AND WINDOWS IN EACH DWELLING OTHER THAN WOOD OR VINYL WILL BE EITHER ANODIZED OR ELECTROSTATICALLY PAINTED. METAL WINDOW FRAMES SHOULD BE CONSISTENT WITH THE EXTERIOR COLOR AND TEXTURE OF THE RESIDENCE. NO UNPAINTED ALUMINUM WILL BE PERMITTED FOR WINDOW FRAMING. WOOD FRAMES WILL BE PAINTED, SEALED OR STAINED.
3. ROOFING. THE ROOF OF THE DWELLING ERECTED ON ANY LOT SHALL BE EITHER HEAVY DUTY (TAB-TYPE) COMPOSITION SHINGLES (WEATHERWOOD COLOR) GAF "TIMBERLINE ULTRA" OR APPROVED EQUAL, OR STANDING SEAM METAL. ALL METAL ROOF DESIGNS REMAIN SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL COMMITTEE. THE MINIMUM ROOF PITCH SHALL BE AN 8/12 PITCH ON THE FORWARD FACING GABLES.
4. WAIVER. THE ARCHITECTURAL COMMITTEE MAY WAIVE, IN A PARTICULAR INSTANCE, THE BUILDING MATERIAL REQUIREMENTS SET OUT IN PARAGRAPHS 1, 2 AND 3 OF THIS SUBSECTION C; PROVIDED, SUCH WAIVER, TO BE EFFECTIVE, MUST BE IN WRITING, DATED AND SIGNED BY A MAJORITY OF SUCH COMMITTEE.

D. STEM WALLS

ALL EXPOSED FOUNDATION OR STEM WALLS SHALL BE A BRICK, STONE OR STUCCO. NO CONCRETE BLOCKS, POURED CONCRETE OR ANY OTHER FOUNDATION WILL BE EXPOSED. NO STEM WALLS WILL BE EXPOSED.

E. COMMERCIAL STRUCTURES

NO BUILDING OR STRUCTURE SHALL BE PLACED, ERECTED OR USED AT ANYTIME FOR ANY BUSINESS, PROFESSIONAL, TRADE OR COMMERCIAL PURPOSE ON ANY PORTION OF ANY LOT.

F. LIVESTOCK AND POULTRY PROHIBITED

NO ANIMALS, LIVESTOCK OR POULTRY (INCLUDING PIGEONS) OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT OR PART THEREOF, EXCEPT THAT DOGS, CATS OR OTHER HOUSEHOLD PETS MAY BE KEPT; PROVIDED, THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

G. NOXIOUS ACTIVITY

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY MAY BE CONDUCTED UPON ANY LOT, NOR SHALL ANY TRASH OR OTHER REFUSE BE THROWN, PLACED OR DUMPED ON ANY VACANT LOT, NOR SHALL ANYTHING BE DONE WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

H. SIGNS

THE CONSTRUCTION OR MAINTENANCE OF ADVERTISING SIGNS OR OTHER ADVERTISING STRUCTURES ON ANY LAW IS PROHIBITED, EXCEPT AS FOLLOWS:

1. SIGNS ADVERTISING THE SALE OF A LOT FOR SALE OR RENTAL OR THE IMPROVEMENTS THEREON ARE PERMITTED; PROVIDED, THEY DO NOT EXCEED NINE (9) SQUARE FEET IN DISPLAY SURFACE AREA.
2. DURING THE DEVELOPMENT PERIOD OF THE SUBDIVISION, SIGNS ADVERTISING THE SUBDIVISION OR THE INITIAL OFFERING OF A LOT OR LOTS MAY BE LOCATED AT THE ENTRANCE TO THE SUBDIVISION.
3. PERMANENT SIGNS IDENTIFYING THE SUBDIVISION MAY BE LOCATED WITHIN THE PRIVATE STREET RIGHT-OF-WAY AT THE ENTRANCE OF THE SUBDIVISION.
- I. EXISTING BUILDINGS

NO EXISTING BUILDING OR USED STRUCTURE OF ANY KIND MAY BE MOVED ONTO OR PLACED ON ANY LOT; PROVIDED, HOWEVER, THAT THE OWNER, AS DEVELOPER OF THE SUBDIVISION, MAY MAINTAIN A SALES OFFICE IN A TEMPORARY STRUCTURE FOR THE SALE OF LOTS OR HOMES IN THE SUBDIVISION.

J. TEMPORARY STRUCTURES AND OUTBUILDINGS

1. NO TRAILER, TENT, GARAGE, BARN, OUTBUILDING, NOR ANY STRUCTURE OF A TEMPORARY NATURE SHALL AT ANYTIME BE USED FOR HUMAN HABITATION, TEMPORARILY OR PERMANENTLY.
2. ANY THE BUILDING THAT IS DETACHED FROM THE PRINCIPLE DWELLING ON A LOT SHALL BE LIMITED TO BUILDINGS CUSTOMARILY ACCESSORY TO A SINGLE-FAMILY DWELLING, SHALL BE OF A SIMILAR ARCHITECTURAL DESIGN AS THE PRINCIPLE DWELLING, AND SHALL NOT BE ERECTED UNTIL THE PLANS, SPECIFICATIONS AND DESIGN THEREOF ARE APPROVED BY THE ARCHITECTURAL COMMITTEE.

K. VEHICLE STORAGE AND PARKING

1. NO INOPERATIVE VEHICLE SHALL BE STORED ON ANY LOT EXCEPT WITHIN AN ENCLOSED GARAGE. NO MOTOR HOME, BOAT, TRAILER, TRAVEL TRAILER OR SIMILAR RECREATIONAL VEHICLE SHALL BE LOCATED, PARKED OR STORED WITHIN A SIDE OR FRONT YARD, AND IF NOT LOCATED WITHIN AN ENCLOSED GARAGE, SHALL BE SCREENED SUFFICIENTLY TO PREVENT ANY VIEW THEREOF FROM ANY STREET WITHIN THE SUBDIVISION.

L. ANTENNAS

NO EXTERIOR RADIO OR TELEVISION TOWER, AERIAL, OR ANTENNA SHALL BE LOCATED UPON ANY LOT. SATELLITE DISHES SHALL BE NO LARGER THAN 18" IN DIAMETER AND BE SCREENED FROM THE VIEW FROM THE STREET AND ADJACENT RESIDENTIAL LOTS WITHIN THE SUBDIVISION.

M. LANDSCAPING REQUIREMENTS

THE FRONT ELEVATION OF ALL RESIDENTIAL LOTS MUST BE PROFESSIONALLY LANDSCAPED UPON COMPLETION OF THE RESIDENCE. ALL FRONT, SIDE AND BACK YARDS MUST BE SORTED ON THE COMPLETION OF ANY RESIDENCE IN THE SUBDIVISION. ALL PROPOSED LANDSCAPING A POINT EVERY LOT WITHIN THE SUBDIVISION MUST RECEIVE APPROVAL BY THE ARCHITECTURAL COMMITTEE.

N. INTERIOR FENCES AND WALLS

INTERIOR FENCES AND WALLS SITUATED UPON RESIDENTIAL LOTS SHALL COMPLY WITH THE FOLLOWING STANDARDS:

1. NO SUCH FENCE OR WALL SHALL EXCEED SIX (6) FEET IN HEIGHT. NO FENCE OR WALL SHALL BE ERECTED OR MAINTAINED NEARER TO THE STREETS WITHIN THE SUBDIVISION THAN THE BUILDING SETBACK LINES DEPICTED ON THE PLAT.
2. ALL FENCES SHALL CONSIST ENTIRELY OF WOOD, BRICK, NATURAL STONE, WROUGHT IRON, OR SOME COMBINATION THEREOF. THE ARCHITECTURAL COMMITTEE MAY, BUT NOT BE OBLIGATED TO, GRANT AN EXCEPTION TO THIS PROVISION UPON WRITTEN REQUEST.
3. ALL FENCING ADJACENT TO RESERVE AREAS 'A', 'B' AND 'C' SHALL BE CONSISTENT. ANY VARIANCE MUST BE APPROVED BY THE ARCHITECTURAL COMMITTEE.

O. RETAINING WALLS

RETAINING WALLS SHALL BE CONSTRUCTED OF THE SAME MATERIALS AS USED IN THE CONSTRUCTION OF THE DWELLINGS SITUATED ON THE LOT AND SHALL CONFORM TO THE SAME ARCHITECTURE UTILIZED FOR SUCH DWELLING. NO RAILROAD TIES MAY BE USED IN THE CONSTRUCTION OF ANY RETAINING WALL. PLANS FOR ALL RETAINING WALLS MUST BE SUBMITTED AND APPROVED BY THE ARCHITECTURAL COMMITTEE AND BY THE CITY OF BIXBY IF LOCATED IN ANY UTILITY OR DRAINAGE EASEMENT.

P. MAILBOXES

ALL MAILBOXES SHALL BE A SINGULAR DESIGN FOR THE LOTS WITHIN SUBDIVISION AS APPROVED BY THE ARCHITECTURAL COMMITTEE. NO MAILBOX SHALL BE ERECTED ON ANY RESIDENTIAL LOT WITHOUT THE APPROVAL OF THE DESIGN BY THE ARCHITECTURAL COMMITTEE.

Q. TRASH RECEPTACLES

TRASH RECEPTACLES SHALL NOT BE LEFT CURBSIDE FOR MORE THAN A 24 HOUR PERIOD OF TIME. ALL TRASH RECEPTACLES SHALL BE KEPT INSIDE OF A GARAGE OR SCREENED FROM VIEW FROM ALL STREETS WITHIN THE SUBDIVISION.

R. BUILDING REQUIREMENTS AND AMENDMENTS

ANY MODIFICATIONS ARE AMENDMENTS TO THE BUILDING/ARCHITECTURAL REQUIREMENTS LISTED UNDER THIS SECTION III SHALL ONLY BE ALLOWED WITH ARCHITECTURAL COMMITTEE APPROVAL AS DESCRIBED UNDER SECTION III.A HEREOF.

SECTION IV. HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

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

B. MEMBERSHIP

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

C. ASSESSMENT

EACH RECORD OWNER OF A LOT SHALL BE SUBJECT TO ASSESSMENT BY THE HOMEOWNERS' ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE STORM WATER DETENTION FACILITIES, RESERVE AREAS AND OTHER COMMON AREAS, ALL AS MORE PARTICULARLY PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE RESERVE AT WHITE HAWK, BLOCKS 7-9 AND THE BYLAWS OF THE ASSOCIATION.

SECTION V. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I. WHETHER OR NOT SPECIFICALLY THEREIN SO STATED SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE AND SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, ANY OWNER OF A LOT AND THE HOMEOWNERS' ASSOCIATION. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II.; IT SHALL BE LAWFUL FOR THE CITY OF BIXBY, ANY OWNER OF A LOT OR THE HOMEOWNERS' ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. THE COVENANTS CONTAINED IN SECTION III. PRIVATE COVENANTS AND SECTION IV. HOMEOWNERS' ASSOCIATION SHALL INURE TO THE BENEFIT OF ANY OWNER OF A LOT AND THE HOMEOWNERS' ASSOCIATION. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN

THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW, IS HEREBY WAIVED. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT OR THE ASSOCIATION, WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED IN SECTION V AND/OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL, BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN TWENTY (20) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION, AND SHALL AUTOMATICALLY RENEW OR EXTEND THEREAFTER, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS. THE COVENANTS CONTAINED WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS. NOTWITHSTANDING THE FOREGOING THE PRIVATE COVENANTS CONTAINED WITHIN SECTION II, SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF A MINOR AMENDMENT TO BXPUD-18-10 MA3 BY THE BIXBY PLANNING COMMISSION OR ITS SUCCESSORS AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE BIXBY PLANNING COMMISSION OR ITS SUCCESSORS WITH THE TULSA COUNTY CLERK. THE COVENANTS AND RESTRICTIONS CONTAINED WITHIN SECTION III. PRIVATE COVENANTS AND SECTION IV. HOMEOWNERS' ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER/DEVELOPER DURING SUCH PERIOD THAT THE OWNER/DEVELOPER IS THE OWNER OF AT LEAST ONE (1) LOT, OR ALTERNATIVELY THE COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A MAJORITY VOTE OF THE MEMBERS OF THE HOMEOWNER' ASSOCIATION AS EVIDENCED BY WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE PRESIDENT OF THE HOMEOWNERS' ASSOCIATION. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER/DEVELOPER DURING ITS OWNERSHIP OF AT LEAST ONE (1) LOT AND ANY AMENDMENT OR TERMINATION EVIDENCED BY AN INSTRUMENT PROPERLY EXECUTED BY THE PRESIDENT OF THE HOMEOWNERS' ASSOCIATION, THE INSTRUMENT EXECUTED BY THE OWNER/DEVELOPER SHALL PREVAIL DURING ITS OWNERSHIP OF AT LEAST ONE (1) LOT. 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.

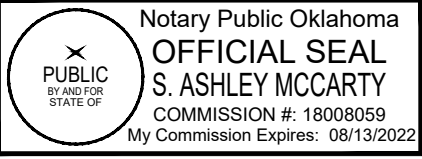
D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, 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, WHITE HAWK MANAGEMENT RESOURCES, LLC., AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2023.

WHITE HAWK MANAGEMENT RESOURCES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
JONATHAN WEDEL, OPERATING MANAGER



STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2023, PERSONALLY APPEARED JONATHAN WEDEL, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE FOREGOING DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS OPERATING MANAGER OF WHITE HAWK MANAGEMENT RESOURCES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, AND 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.

WITNESS MY HAND AND SEAL THE DAY AND YEAR ABOVE WRITTEN.

S. ASHLEY MCCARTY

MY COMMISSION EXPIRES: 8/13/2026
MY COMMISSION NUMBER: 18008059

CERTIFICATE OF SURVEY

I, ANDY FRITZ, OF FRITZ LAND SURVEYING, LLC, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF AUTHORIZATION #5848, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "THE RESERVE AT WHITE HAWK, BLOCKS 7-9", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

ANDY FRITZ
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1694



STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2023, PERSONALLY APPEARED ANDY FRITZ, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS A LICENSED LAND SURVEYOR TO THE FOREGOING CERTIFICATE OF SURVEY AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

JENNIFER FRITZ

MY COMMISSION EXPIRES: 6/23/2026
MY COMMISSION NUMBER: 14005589

DRAFT FINAL PLAT #1
11/8/2023 - REVISED PER TAC COMMENTS



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: Gwen Plante, Assistant City Planner

Date: Tuesday, January 16, 2024

Name: ***GREYHAWK RESIDENTIAL***

RE: Rezone (**BXZO-24.01**) from Agriculture (AG) to Residential Single-Family (RS-3);
Planned Unit Development (**BXPUD-24.01**)

Location: Approximately 2,000 feet North of 131st and South Mingo Road and 2,000 feet East of 131st and South Mingo Road.

105.45 (+/-) Acres

STR: Section 6, Township 17N, Range 14E

Applicant: Lou Reynolds, Eller & Detrich

Request: Rezone (BXZO 24.01) and Planned Unit Development (BXPUD 24.01)

Description: The applicant is requesting a Rezone from Agriculture (AG) to Single-Family Residential (RS-3) BXZO 24.01 with a Planned Unit Development (BXPUD-24.01).

The PUD will allow efficient use of the land by allowing 325 dwelling units.

Development Area A:	125 Lots, Min Lot Width 70 ft.
Development Area B:	150 Lots, Min Lot Width 65 ft.
Development Area C:	50 Lots, Min Lot Width 55 ft.

Amenities:

- Community Pool with Clubhouse
- Playground Area
- Neighborhood pond with fountains / aerators
- New Tree planting and professional landscaping
- Substantial green space / reserve areas
- Stocked fishing pond
- Jogging trails
- Gated Private Streets in Development Area B

Existing Zoning; Use:

Agriculture (AG); Agriculture

Abutting Zoning; Use:

North: (AG) Agriculture, Vacant; (RS-3) Residential Single-Family

East: (AG) Agriculture; Vacant

South: (RS-3) Residential Single Family, Vacant

West: (AG) Agriculture; (RS-1) Residential Single-Family, Vacant

Proposed Zoning; Use:

Residential-Single Family (RS-3) with PUD

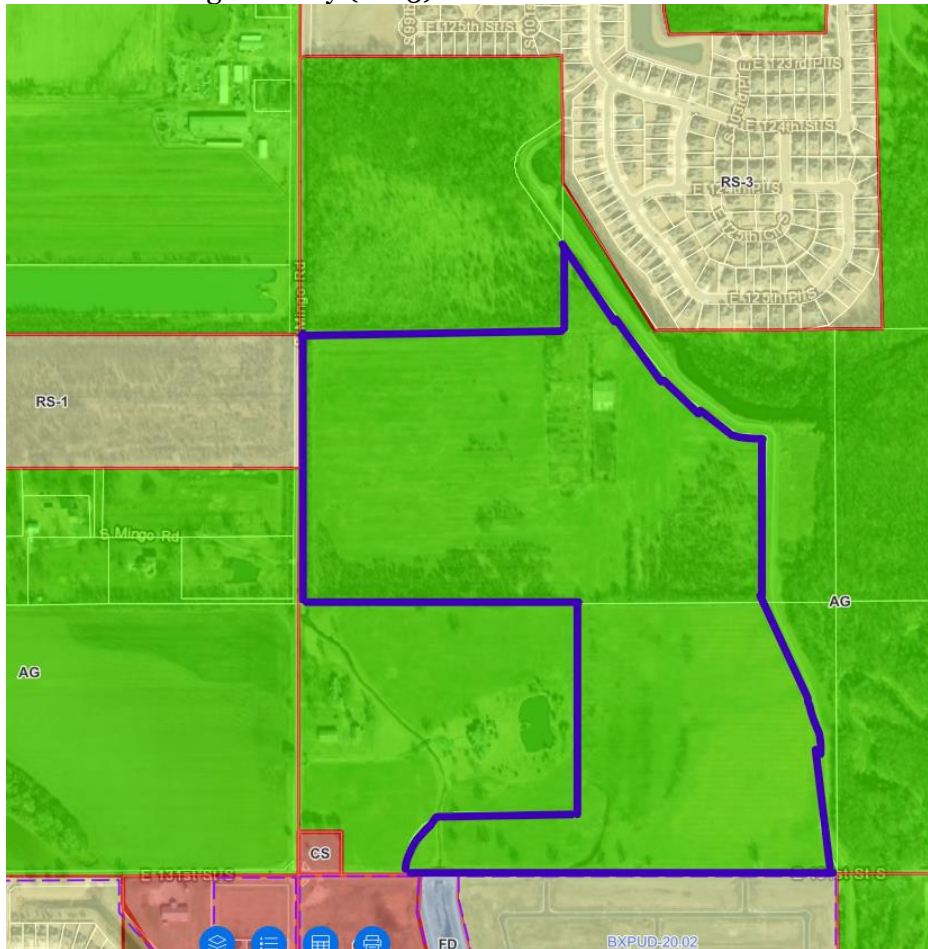


Figure 1: City of Bixby Zoning Map

Staff Review

The applicant is requesting a rezone (BXZO 24.01 from Agriculture (AG) to Residential Single-Family (RS-3) and Planned Unit Development (BXPUD 24.01).

Project Overview:

Development Area A:

Development Standards	Zoning Code RS-3	Proposed
Acres		41.78 +/-
Min. Lot Width	65 Ft.	70 Ft.
Min. Lot Area	6,900 Sq. Ft	9,800 Sq Ft.
Min. Land Area per Dwelling Unit	8,400 Sq Ft.	
Number of Dwellings	217	125
Max. Bldg. Height	48 Ft. / 3 Stories	48 Ft. / 2 Stories**
Min. Dwelling Sq. Ft.		
Min. Yard Setbacks:		
Front Yard	20 Ft.	25 Ft.
Rear Yard	20 Ft.	20 Ft.
Side Yard (Interior)	5 Ft.	5 Ft.
Rear Yard Abutting a Street	20 Ft. (Arterial)	85 Ft. from Centerline
First Floor Exterior Materials		

Development Area B:

Development Standards	Zoning Code RS-3	Proposed
Acres		53.12 +/-
Min. Lot Width	65 Ft.	65 Ft.
Min. Lot Area	6,900 Sq. Ft	6,900 Sq Ft.
Min. Land Area per Dwelling Unit	8,400 Sq Ft.	8,400 Sq Ft.
Number of Dwellings	275	150
Max. Bldg. Height	48 Ft. / 3 Stories	48 Ft. / 2 Stories**
Min. Dwelling Sq. Ft.		
Min. Yard Setbacks:		
Front Yard	20 Ft.	25 Ft.
Rear Yard	20 Ft.	20 Ft.
Side Yard (Interior)	5 Ft.	5 Ft.
Rear Yard Abutting a Street	20 Ft. (Arterial)	85 Ft. from Centerline
First Floor Exterior Materials		

Development Area C:

Development Standards	Zoning Code RS-3	Proposed
Acres		10.55 +/-
Min. Lot Width	65 Ft.	55 Ft.
Min. Lot Area	6,900 Sq. Ft	6,050 Sq Ft.
Min. Land Area per Dwelling Unit	8,400 Sq Ft.	8,400 Sq Ft.
Number of Dwellings	55	50
Max. Bldg. Height	48 Ft. / 3 Stories	48 Ft. / 2 Stories**
Min. Dwelling Sq. Ft.		
Min. Yard Setbacks:		
Front Yard	20 Ft.	20 Ft.
Rear Yard	20 Ft.	20 Ft.
Side Yard (Interior)	5 Ft.	5 Ft.
Rear Yard Abutting a Street	20 Ft. (Arterial)	85 Ft. from Centerline
First Floor Exterior Materials		

Utilities/Site Area:

- 12" Water line located on the West side of Mingo Road. 12" Water line located on the South side of East 131st Street South.
- 10" Sanitary sewer line located on the South side of East 131st Street South.

Public Comments: No comments have been received by staff, for or against, regarding the application to Rezone.

Staff Comments:

1. Staff supports approval of the requested Rezone from Agriculture (AG) to Residential Single-family (RS-3) with a Planned Unit Development (PUD).

Staff Recommendation: Approval

Staff believes the proposed zoning changes and PUD will align well with the surrounding land use and future land use.

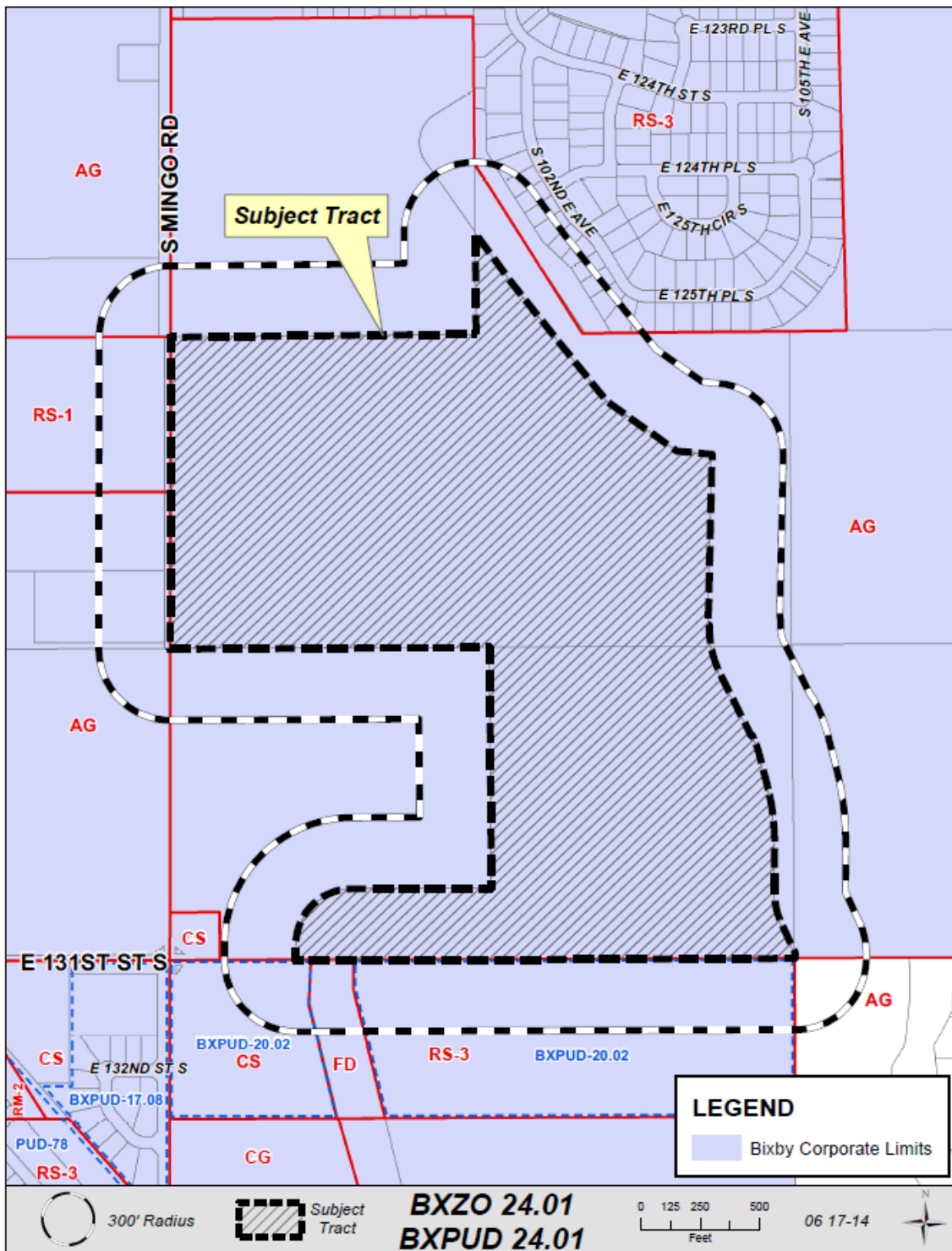
Figures: Figure 1: City of Bixby Zoning Map
Exhibit "A" Legal Description

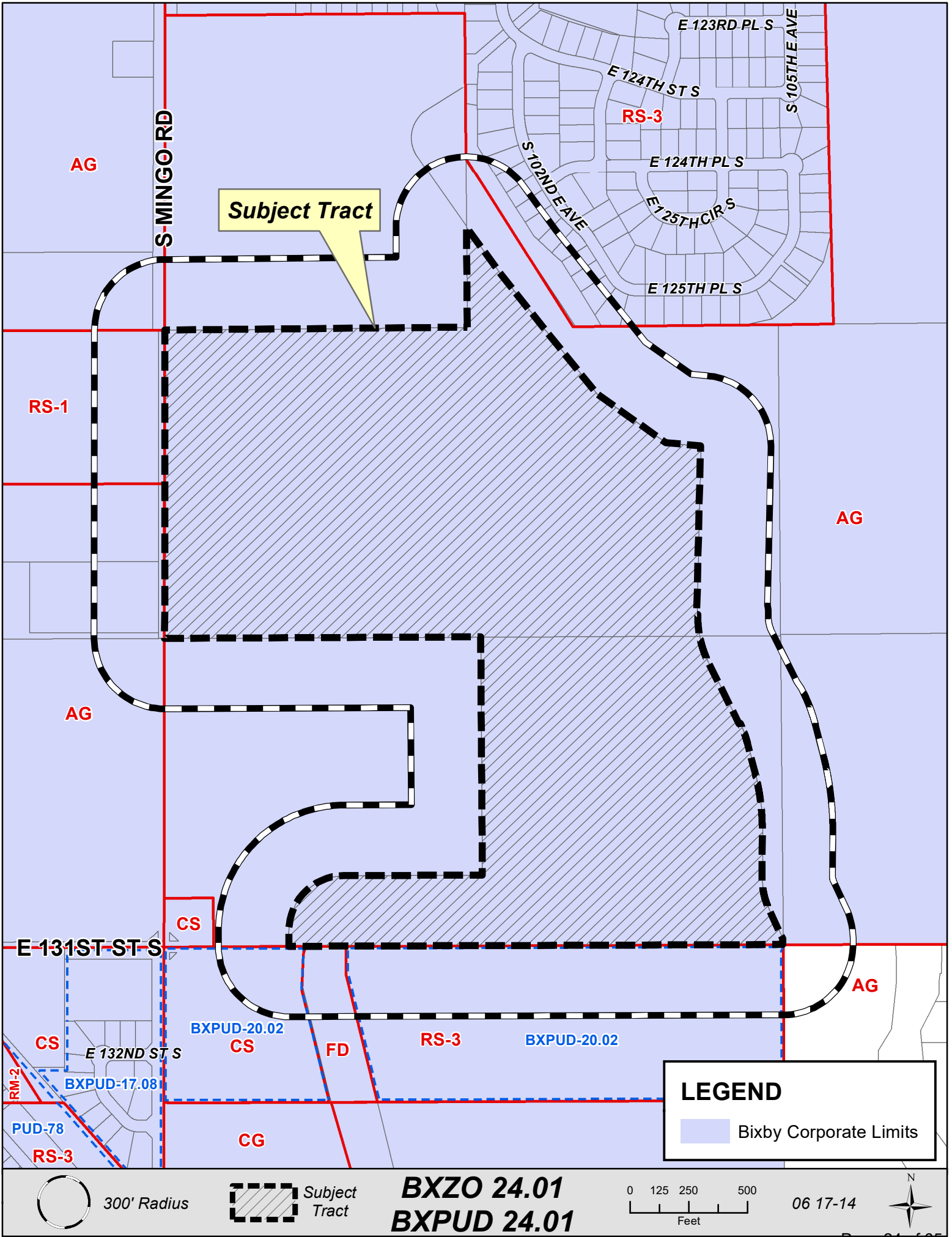
Exhibit “A”

LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN THE COUNTY OF TULSA, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE SOUTH 88°36'37" WEST 2101.12 FEET; THENCE NORTH 01°23'23" WEST 65.00' FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 235.00 FEET, AN ARC LENGTH OF 369.14 FEET, A CHORD BEARING OF NORTH 43°36'42" EAST AND A CHORD DISTANCE OF 332.34 FEET TO A POINT OF TANGENCY; THENCE NORTH 88°36'37" EAST 589.97 FEET; THENCE NORTH 01°32'45" WEST 1023.88 FEET; THENCE SOUTH 88°32'56" WEST 1345.84 FEET; THENCE NORTH 01°04'34" WEST 1322.45 FEET; THENCE NORTH 88°29'13" EAST 1303.86 FEET; THENCE NORTH 01°20'25" WEST 429.57 FEET; THENCE SOUTH 36°11'52" EAST 233.14 FEET; THENCE SOUTH 38°26'24" EAST 297.53 FEET; THENCE SOUTH 38°26'22" EAST 364.67 FEET; THENCE SOUTH 55°46'24" EAST 359.17 FEET; THENCE SOUTH 85°50'09" EAST 149.11 FEET; THENCE SOUTH 00°09'05" WEST 718.38 FEET; THENCE SOUTH 89°50'55" EAST 5.00 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 440.18 FEET, AN ARC LENGTH OF 91.01 FEET, A CHORD BEARING OF SOUTH 05°48'03" EAST AND A CHORD DISTANCE OF 90.85 FEET; THENCE ALONG A CURVE CONTINUING TO THE LEFT HAVING A RADIUS OF 116.80 FEET, AN ARC LENGTH OF 116.80 FEET, A CHORD BEARING OF SOUTH 19°18'32" EAST AND A CHORD DISTANCE OF 116.46 FEET; THENCE SOUTH 26°54'38" EAST 303.16 FEET; THENCE NORTH 63°05'22" EAST 5.00 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 465.00 FEET, AN ARC LENGTH OF 92.53 FEET, A CHORD BEARING OF SOUTH 21°12'37" EAST AND A CHORD DISTANCE OF 92.38 FEET; THENCE SOUTH 15°30'35" EAST 131.67 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 965.00 FEET, AN ARC LENGTH OF 248.29 FEET, A CHORD BEARING OF SOUTH 08°08'20" EAST AND A CHORD DISTANCE OF 247.61 FEET; THENCE SOUTH 00°46'05" EAST 191.34 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 335.00 FEET, AN ARC LENGTH OF 147.39 FEET, A CHORD BEARING OF SOUTH 13°22'20" EAST AND A CHORD DISTANCE OF 146.20 FEET; THENCE SOUTH 25°58'35" EAST 135.32 FEET; THENCE SOUTH 01°36'09" EAST 24.75 FEET TO THE POINT OF BEGINNING





Planned Unit Development

BXPUD-xxx

GREYHAWK

Single-Family Residential

105.45 ACRES

NORTHEAST CORNER OF E 131ST ST S AND S MINGO ROAD

BIXBY, OKLAHOMA

December 5, 2023

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I. Development Concept

Greyhawk is a 105-acre single family residential neighborhood in the City of Bixby, Tulsa County, Oklahoma. The project is located on the east side of South Mingo Road and the north side of East 131st Street South. This Planned Unit Development is an overlay covering the RS-3 zoning district and will follow RS-3 dimensional and density standards with a few notable exceptions.

Adjacent to the property are multiple land uses and zoning classifications, as follows:

EAST:	City of Bixby/Haikey Creek – AG
NORTH:	Chisholm Ranch – RS-3
WEST:	Unplatted/Residential – RS-1/AG
SOUTH:	Rowan Grove – RS-3

A master property owners' association will be formed for the neighborhoods and dues established for the maintenance of common areas and amenities. Covenants for the neighborhood have been prepared to set forth minimum dwelling sizes, percent of masonry and other criteria which establish and maintain a quality development. Greyhawk is a professionally planned neighborhood with a community pool and clubhouse, playground area and passive neighborhood amenities associated with the detention facilities and drainage features including fountains/aerators, new tree plantings, jogging trails, and substantial green space for the enjoyment of the residents in Greyhawk.

Legal Description

A TRACT OF LAND SITUATED IN THE WEST HALF (W/2) OF SECTION SIX (6), TOWNSHIP SEVENTEEN (17), RANGE FOURTEEN (14), COUNTY OF TULSA, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4); THENCE SOUTH 88°36'37" WEST 2101.12 FEET; THENCE NORTH 01°23'23" WEST 65.00' FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 235.00 FEET, AN ARC LENGTH OF 369.14 FEET, A CHORD BEARING OF NORTH 43°36'42" EAST AND A CHORD DISTANCE OF 332.34 FEET TO A POINT OF TANGENCY; THENCE NORTH 88°36'37" EAST 589.97 FEET; THENCE NORTH 01°32'45" WEST 1023.88 FEET; THENCE SOUTH 88°32'56" WEST 1345.84 FEET; THENCE NORTH 01°04'34" WEST 1322.45 FEET; THENCE NORTH 88°29'13" EAST 1303.86 FEET; THENCE NORTH 01°20'25" WEST 429.57 FEET; THENCE SOUTH 36°11'52" EAST 233.14 FEET; THENCE SOUTH 38°26'24" EAST 297.53 FEET; THENCE SOUTH 38°26'22" EAST 364.67 FEET; THENCE SOUTH 55°46'24" EAST 359.17 FEET; THENCE SOUTH 85°50'09" EAST 149.11 FEET; THENCE SOUTH 00°09'05" WEST 718.38 FEET; THENCE SOUTH 89°50'55" EAST 5.00 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 440.18 FEET, AN ARC LENGTH OF 91.01 FEET, A CHORD BEARING OF SOUTH 05°48'03" EAST AND A CHORD DISTANCE OF 90.85 FEET; THENCE ALONG A CURVE CONTINUING TO THE LEFT HAVING A RADIUS OF 116.80 FEET, AN ARC LENGTH OF 116.80 FEET, A CHORD BEARING OF SOUTH 19°18'32" EAST AND A CHORD DISTANCE OF 116.46 FEET; THENCE SOUTH 26°54'38" EAST 303.16 FEET; THENCE NORTH 63°05'22" EAST 5.00 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 465.00 FEET, AN ARC LENGTH OF 92.53 FEET, A CHORD BEARING OF SOUTH 21°12'37" EAST AND A CHORD DISTANCE OF 92.38 FEET; THENCE SOUTH 15°30'35" EAST 131.67 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 965.00 FEET, AN ARC LENGTH OF 248.29 FEET, A CHORD BEARING OF SOUTH 08°08'20" EAST AND A CHORD DISTANCE OF 247.61 FEET; THENCE SOUTH 00°46'05" EAST 191.34 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 335.00 FEET, AN ARC LENGTH OF 147.39 FEET, A CHORD BEARING OF SOUTH 13°22'20" EAST AND A CHORD DISTANCE OF 146.20 FEET; THENCE SOUTH 25°58'35" EAST 135.32 FEET; THENCE SOUTH 01°36'09" EAST 24.75 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 4,593,385.37 SQ. FEET OR 105.45 ACRES.

EXHIBIT A
VICINITY MAP



EXHIBIT B
AERIAL PHOTO



EXHIBIT C
CONCEPTUAL SITE PLAN

SEE 11X17 SHEET

DRAFT

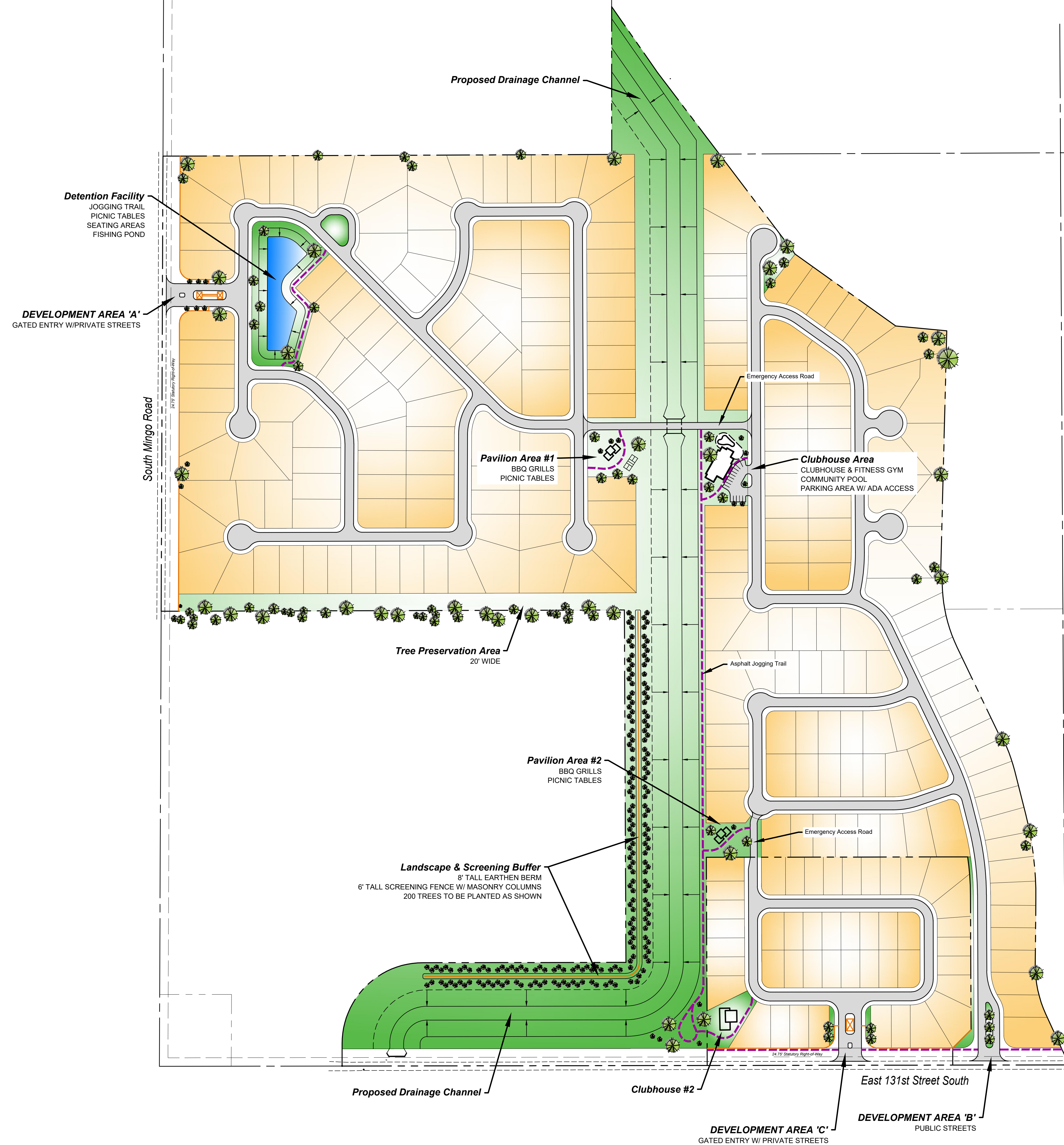


EXHIBIT D
SITE TOPOGRAPHY

SEE 11X17 SHEET

DRAFT

EXHIBIT E
CURRENT ZONING MAP

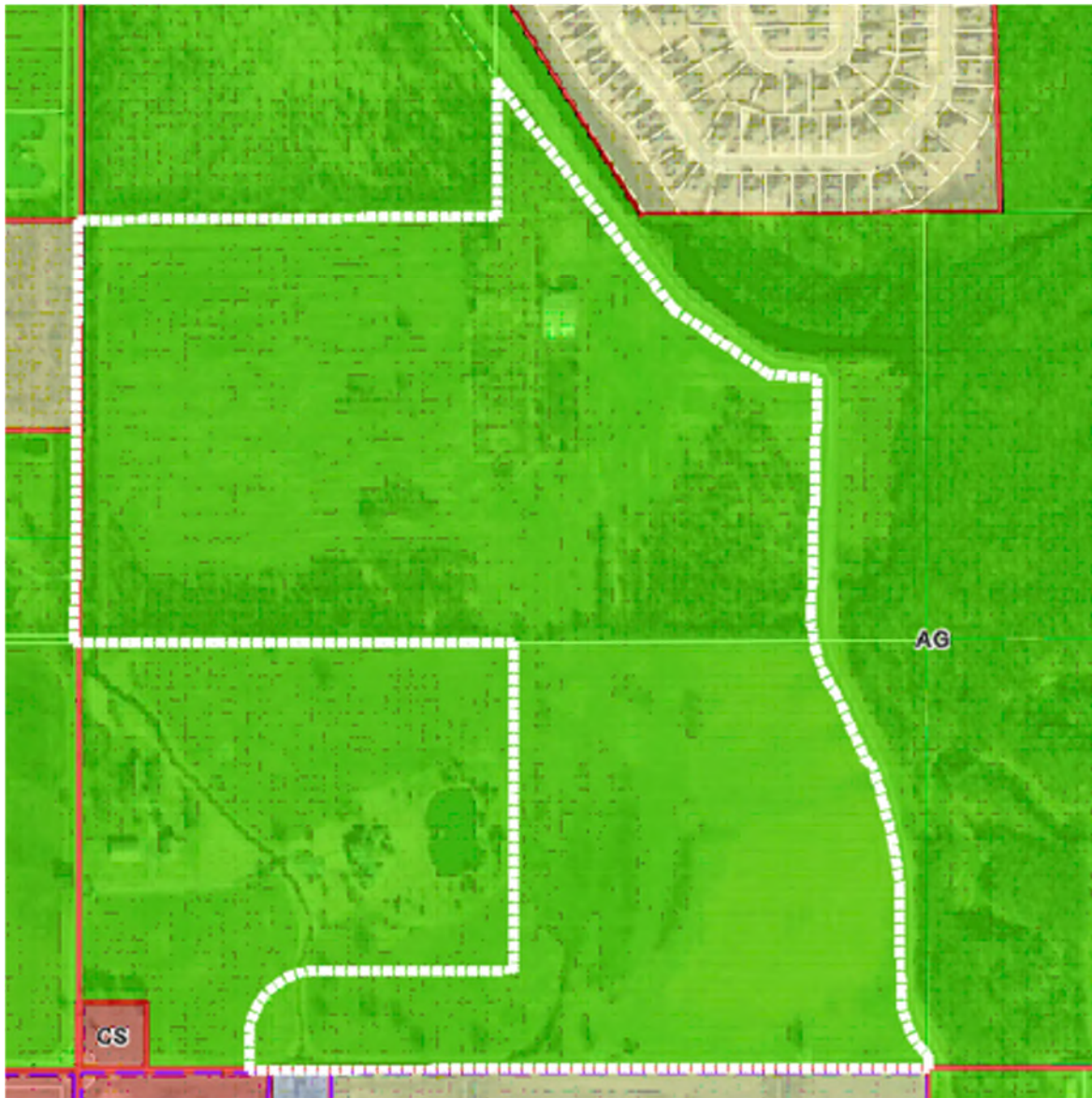


EXHIBIT F

BIXBY COMPREHENSIVE PLAN

MEDIUM DENSITY RESIDENTIAL

Density: 4 to 6 du/ac

Zoning: RS-2, RS-2.5, RS-3

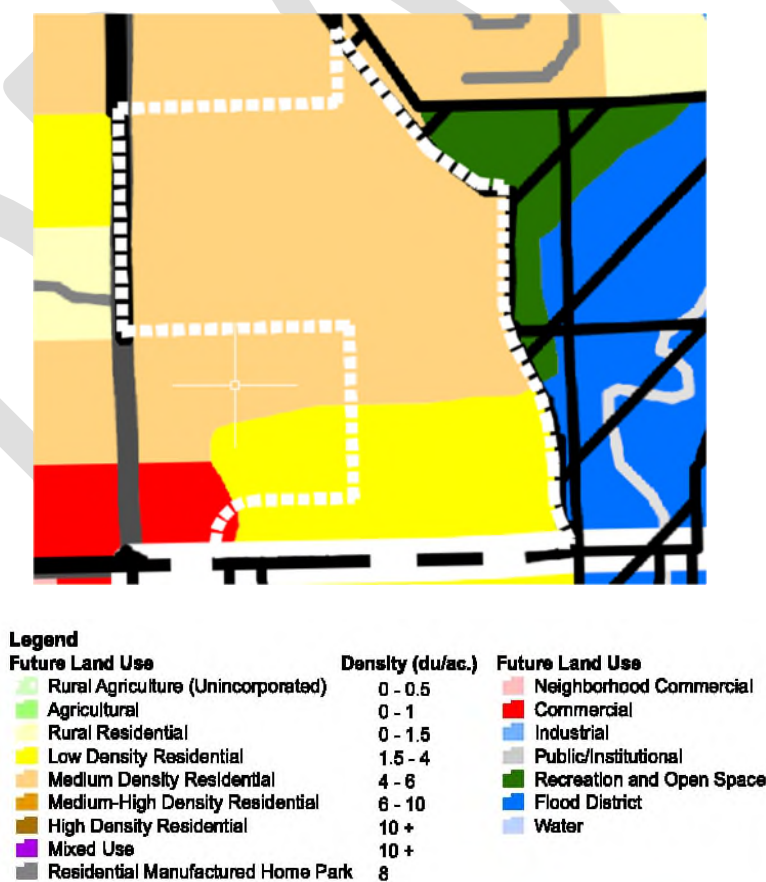
The Medium Density Residential designation denotes areas within Bixby where there is a sense of neighborhood cohesion. Medium Density Residential mostly consists of attached and detached single-family homes, but may also include other integrated land uses that support the neighborhood, such as shops, religious institutions, small offices, and educational institutions that reflect the neighborhood's character.

LOW DENSITY RESIDENTIAL

Density: 1.5 to 4 du/ac

Zoning: RE, RS-1, RS-2

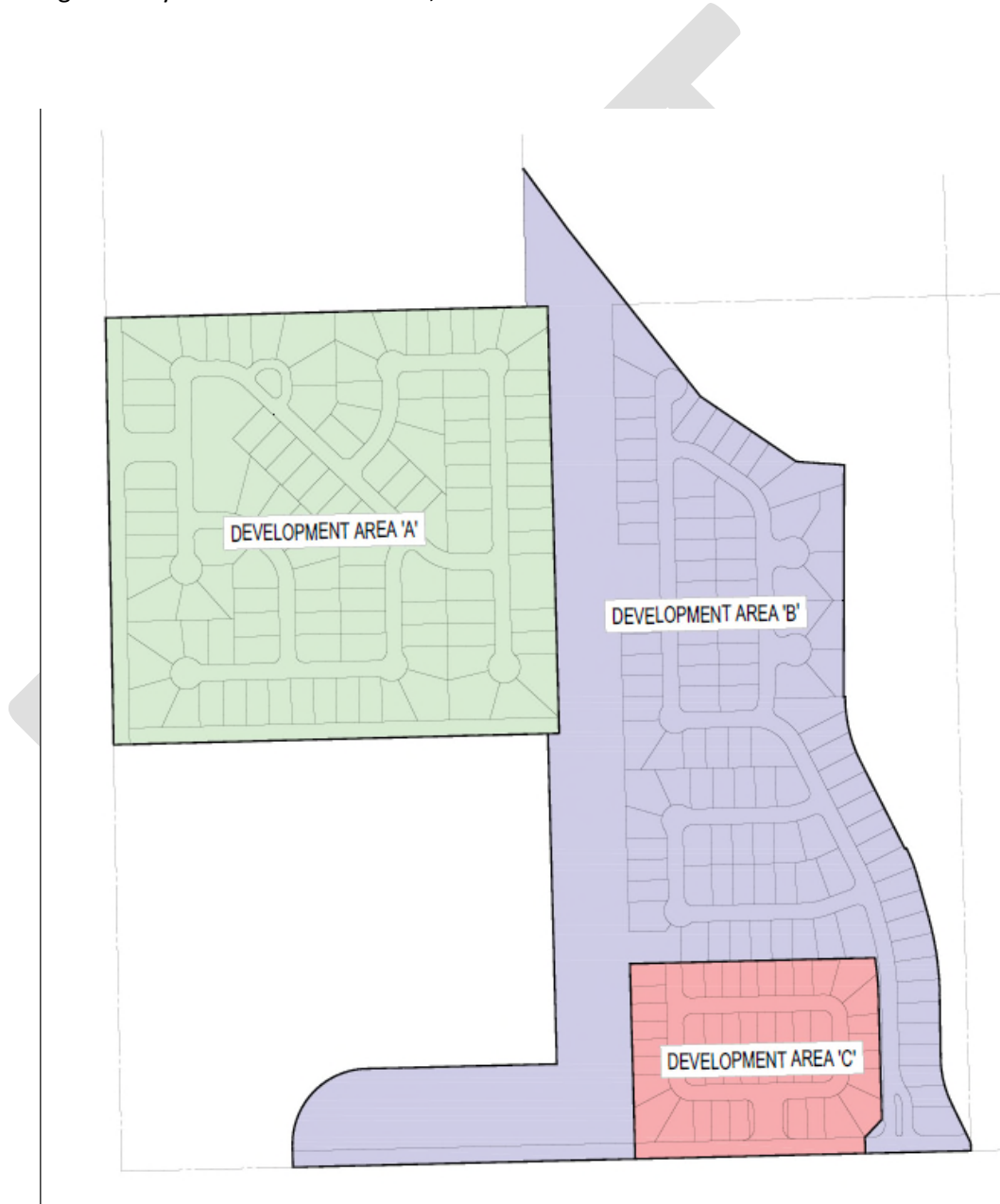
The Low Density Residential designation denotes areas on the fringe of the urbanized area of the City. Development in this designation should remain low in density and mostly consist of detached single-family units. Although, this designation may allow land uses that support neighborhood functions, such as parks and neighborhood scaled shops that are cohesive with the residential character.



II. Development Standards

DEVELOPMENT AREAS SUMMARY

AREA	USE	SF	ACRES	% OF TOTAL	ZONING
A	Single-Family Residential	1,819,896	41.78	40	RS-3
B	Single-Family Residential	2,313,856	53.12	50	RS-3
C	Single-Family Residential	459,634	10.55	10	RS-3



DEVELOPMENT AREA - A

Land Area: 41.78 Acres

Permitted uses: All uses allowed by right in the RS-3 zoning district specifically Use Unit 6 – Single Family Dwelling and customary facilities and amenities.

Permitted Uses: RS-3 Single Family Residential

Residential lot density calculation:

Maximum dwelling units allowed in RS-3 zoning district (1,819,896 / 8,400 square feet): 217

Maximum dwelling units (residential lots) allowed by this PUD: 125

Minimum lot width (at building setback line): 70 feet *

* Lots with cul-de-sac frontage may have a minimum width of 45 feet at the right-of-way line but shall meet the minimum requirements for lot area as specified in this PUD.

Minimum lot area: 9,800 square feet

Maximum structure height: 48 feet

Maximum number of stories: 2

Off-Street Parking: Three (3) enclosed off-street parking spaces per dwelling unit

Front yard building setback: 25 feet

Rear yard building setback: 20 feet

Rear yards abutting an arterial street : 85 feet from centerline

All other side yards: 5 feet

No residence shall be built nearer than five (5) feet to any side lot on one side, and five (5) feet on the other side, thus requiring a combined total of at least ten (10) feet between the residences.

DEVELOPMENT AREA - B

Land Area: 53.12 Acres

Permitted uses: All uses allowed by right in the RS-3 zoning district specifically Use Unit 6 – Single Family Dwelling and customary facilities and amenities.

Permitted Uses: RS-3 Single Family Residential

Residential lot density calculation:

Maximum dwelling units allowed in RS-3 zoning district (2,313,856 / 8,400 square feet): 275

Maximum dwelling units (residential lots) allowed by this PUD: 150

Minimum lot width (at building setback line): 65 feet *

* Lots with cul-de-sac frontage may have a minimum width of 40 feet at the right-of-way line but shall meet the minimum requirements for lot area as specified in this PUD.

Minimum lot area: 6,900 square feet

Minimum land area per dwelling unit: 8,400 square feet

Maximum structure height: 48 feet

Maximum number of stories: 2

Off-Street Parking: Two (2) enclosed off-street parking spaces per dwelling unit

Front yard building setback: 25 feet

Rear yard building setback: 20 feet

Rear yards abutting an arterial street : 85 feet from centerline

All other side yards: 5 feet

No residence shall be built nearer than five (5) feet to any side lot on one side, and five (5) feet on the other side, thus requiring a combined total of at least ten (10) feet between the residences.

DEVELOPMENT AREA - C

Land Area: 10.55 Acres

Permitted uses: All uses allowed by right in the RS-3 zoning district specifically Use Unit 6 – Single Family Dwelling and customary facilities and amenities.

Permitted Uses: RS-3 Single Family Residential

Residential lot density calculation:

Maximum dwelling units allowed in RS-3 zoning district (459,634 / 8,400 square feet): 55

Maximum dwelling units (residential lots) proposed by this PUD: 50

Minimum lot width (at building setback line): 55 feet

Minimum lot area: 6,050 square feet

Minimum land area per dwelling unit: 8,400 square feet

Maximum structure height: 48 feet

Maximum number of stories: 2

Off-Street Parking: Two (2) enclosed off-street parking spaces per dwelling unit

Front yard building setback: 20 feet

Rear yard building setback: 20 feet

Rear yards abutting an arterial street : 85 feet from centerline

All other side yards: 5 feet

No residence shall be built nearer than five (5) feet to any side lot on one side, and five (5) feet on the other side, thus requiring a combined total of at least ten (10) feet between the residences.

III. General Provisions

Signage

Three entry identification signs shall be permitted with a maximum of 64 square feet of display signage surface per sign. Additional signage for amenities will be allowed with a maximum of 16 square feet per sign.

Access and Circulation

Development Area – A: Two entrances for the subject tract shall be from the west (South Mingo Road) and from the south (East 131st Street South). Interior vehicular access shall be derived from these entrance locations with public streets (26 feet in width) throughout.

Development Area – B: The primary gated entrance for the subject tract shall be from the south (East 131st Street South) and a secondary emergency vehicle access located in the northwest corner. Interior vehicular access shall be derived from the primary entrance location with private streets (26 feet in width) throughout.

Topography and Existing Soils

The property consists of pastureland with elevations ranging from 608 to 59 feet. The Soil Survey of Tulsa County, Oklahoma was used to help identify soil types present on the site. Existing soils consist of the following:

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
45	Osage silty clay, 0 to 1 percent slopes, occasionally flooded	90.0	87.0%
48	Radley silt loam, 0 to 1 percent slopes, frequently flooded	3.1	3.0%
53	Wynona silty clay loam, 0 to 1 percent slopes, occasionally flooded	10.3	9.9%
Totals for Area of Interest		103.4	100.0%

Utilities and Drainage

Most utilities are available around the development boundary. An offsite sanitary sewer main extension will be required to serve the development. Storm water drainage will be collected by an underground storm sewer system, and detention / drainage channels will be addressed within designated reserve areas in accordance with the City of Bixby development regulations. Domestic and irrigation water service will be provided by the City of Bixby.

Amenities

- Community pool with clubhouse
- Playground area
- Neighborhood pond with fountains / aerators
- New tree planting and professional landscaping
- Substantial green space / reserve areas
- Stocked fishing pond
- Jogging trails
- Gated Private Streets (Development Area - B)

Site Plan Review

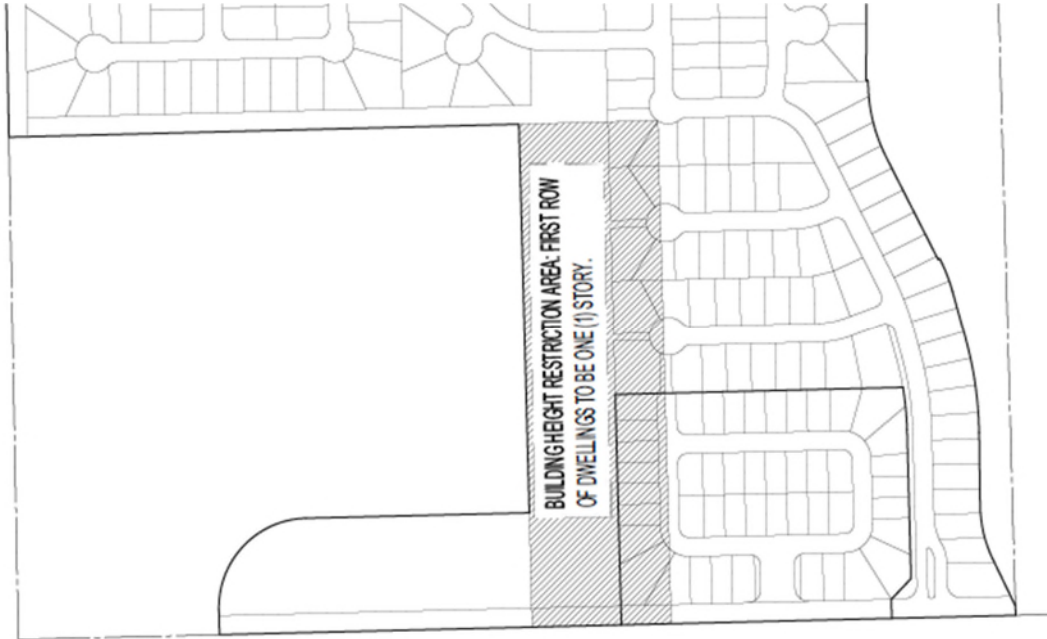
For the purposes of site plan review requirements, the approved final plat shall constitute the required detailed site plan.

Platting Requirement

No building permit shall be issued until the area comprising the Planned Unit Development has been included within a subdivision plat submitted to and approved by the Bixby Planning Commission and the Bixby City Council and duly filed of record. The required subdivision plat shall include covenants of record implementing the development standards of the approved Planned Unit Development and the City of Bixby shall be a beneficiary thereof.

IV. Special Provisions

Language to be added and discussed.



V. Anticipated Construction Schedule

The anticipated construction schedule for Greyhawk is scheduled to begin in the summer of 2024 and is expected to be complete and ready for lot sales in the fall of 2025.



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

Staff Report

To: City of Bixby, City Council

From: Gwen Plante, Assistant City Planner

Date: January 8, 2024

Name: ***South County Industrial Park***

RE: Preliminary Plat (**BXPT 23.17**)

Location: One-half (1/2) Mile North of 151st Street and West of Kimberly Clark Place, approximately 70 acres.

Applicant: Engineered by Design, Aaron Hale

Request: The applicant is requesting a Preliminary Plat (**BXPT 23.17**) for South County Industrial Park.

Site Stats:

Acres: 70 ac +/-	Min. Lot Size: Per IL Zoning	DU/acre: N/A
Number of Lots: 11 Lots	Number of Blocks: 2 Block	Reserve Areas: 2

Existing Zoning; Use:
Industrial Light (IL)

Abutting Zoning; Use:
North: (AG) Agriculture - Vacant
East: (RS-3) Single-Family dwellings
South: (CS), (IL) and (RS-3) - Vacant
West: (AG) Agriculture - Vacant

The applicant is requesting a Preliminary Plat (BXPT 23.17) for South County Industrial Park.

All uses allowed by right in Use Unit 22, Use Unit 22A, Use Unit 23, and Use Unit 25 except as defined below:

Page 44 of 65

Prohibited Uses:

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

(There are use units not in permitted use that are identified to be clear that they cannot be introduced as an accessory use.)

Use Unit 13- Medical Marijuana Dispensary (To include transporting use)

Use Unit 22 - Medical marijuana research facility. Use Unit 22A - Medical marijuana testing laboratory.

Use Unit 23 – Medical Marijuana Warehousing and Wholesaling Facility.
Medical Marijuana Grow Facility

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

Public Comments: No comments have been received by staff, for or against, regarding the application for Preliminary Plat.

Staff Comments:

1. Staff supports approval of the requested Preliminary Plat (BXPT 23.17).

Engineering/TAC Comments:

1. Applicant is to dedicate a portion of the property to the City for the maintenance of the existing lift station and force main along with space for a future booster pump station. Exact property dimensions are to be determined prior to the submittal of the final plat.

Planning Commission: passed 3-0, recommendation for approval.

Staff Recommendation: Approval

Figures: Figure 1: City of Bixby Zoning Map

Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	55.95'	35.00'	91°35'28.23"	N 61°23'32" W	50.18'
C2	55.17'	35.00'	90°19'05.39"	N 27°39'12" E	49.63'
C3	355.51'	275.00'	74°04'11.49"	S 35°46'39" W	331.27'
C4	290.87'	225.00'	74°04'11.49"	S 35°46'39" W	271.04'
C5	55.35'	35.00'	90°36'14.86"	N 44°02'39" E	49.76'
C6	54.61'	35.00'	89°23'46.04"	N 45°57'20" W	49.24'
C7	62.25'	100.00'	35°39'59.86"	S 19°05'27" E	61.25'
C8	93.38'	150.00'	35°39'59.86"	N 19°05'27" W	91.87'
C9	54.61'	35.00'	89°23'46.04"	S 45°57'20" E	49.24'
C10	93.38'	150.00'	35°39'59.86"	S 19°05'27" E	91.87'
C11	62.25'	100.00'	35°39'59.86"	N 19°05'27" W	61.25'
C12	55.35'	35.00'	90°36'13.96"	N 44°02'40" E	49.76'
C13	45.66'	35.00'	74°44'32.92"	S 51°58'30" W	42.49'
C14	266.77'	60.00'	254°44'32.92"	S 38°01'30" E	95.37'

Line Table

LINE	BEARING	DISTANCE
L1	N 72°48'44" E	93.58'
L2	N 72°48'44" E	94.91'
L3	N 01°15'27" W	1104.82'
L4	N 01°15'27" W	1104.82'
L5	N 36°55'27" W	65.35'
L6	N 01°15'27" W	53.06'
L7	S 89°20'47" W	255.01'
L8	N 36°55'27" W	65.35'
L9	N 01°15'27" W	51.79'
L10	N 89°20'47" E	296.03'
L11	S 89°20'47" W	580.66'

Address Note

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.

Owner / Developer

SOUTH COUNTY INDUSTRIAL PARK, LLC
802 WEST 91ST STREET
TULSA, OKLAHOMA 74135
PHONE: (918) 284-7552
MR. JAMES ROBERTS

Surveyor

FRITZ LAND SURVEYING, LLC
524 EAST MAIN STREET
JENKS, OKLAHOMA 74037
PHONE: (918) 231-0575
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2024

Engineer

ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0980
EMAIL: ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES: 6-30-2024

Planned Unit Development No. 12 (MAJOR AMENDMENT C)

South County Industrial Park

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, BEING A RE-PLAT OF PART OF SITRIN CENTER ADDITION (PLAT NO. 2993), AN ADDITION TO THE NORTHEAST QUARTER (NE/4) OF SECTION SIXTEEN (16), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

Subdivision Statistics

SUBDIVISION CONTAINS FOUR (4) LOTS IN TWO (2) BLOCKS AND ONE (1) RESERVE AREA
GROSS SUBDIVISION AREA: 3,051,908.6 SF OR 70.06 ACRES

Basis of Bearings

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

Monumentation

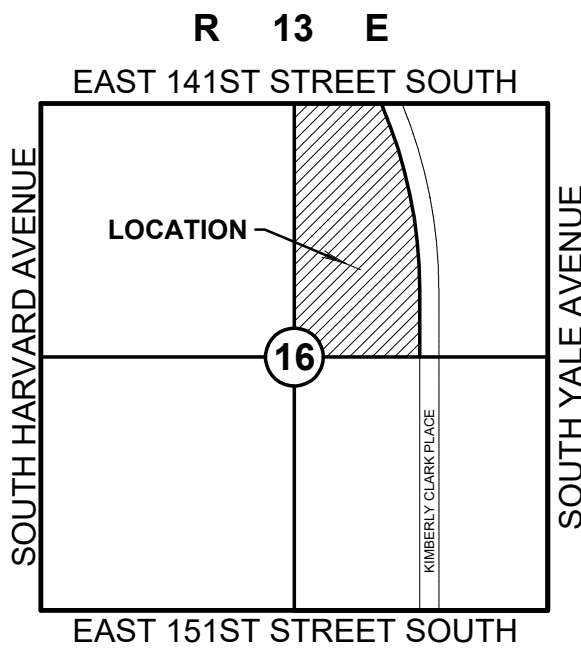
ALL LOT CORNERS SHOWN HEREON WERE SET USING A 3/8" x 18" STEEL PIN WITH A GREEN PLASTIC CAP STAMPED "FRITZ CA5848".

Floodplain Data

WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, CITY OF BIXBY, OKLAHOMA, COMMUNITY PANEL NO. 40143C0433L- OCTOBER 16, 2012, WHICH INDICATES THE SURVEYED PROPERTY TO BE WITHIN SHADED ZONE X (AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN), ZONE AE (AREAS DETERMINED TO BE WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN) AND THE FLOODWAY WITH A BASE FLOOD ELEVATION OF VARYING FROM 619' TO 624.6' AS SHOWN HEREON.

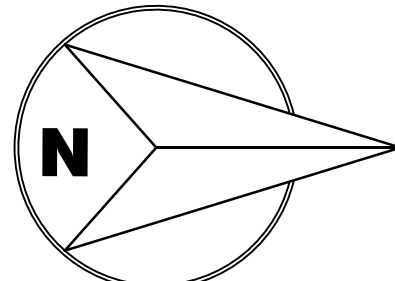
Legend

B/L -- BUILDING SETBACK LINE
L.N.A. -- LIMITS OF NO ACCESS
OD/E -- OVERLAND DRAINAGE EASEMENT
U/E -- UTILITY EASEMENT
14500 -- STREET ADDRESS

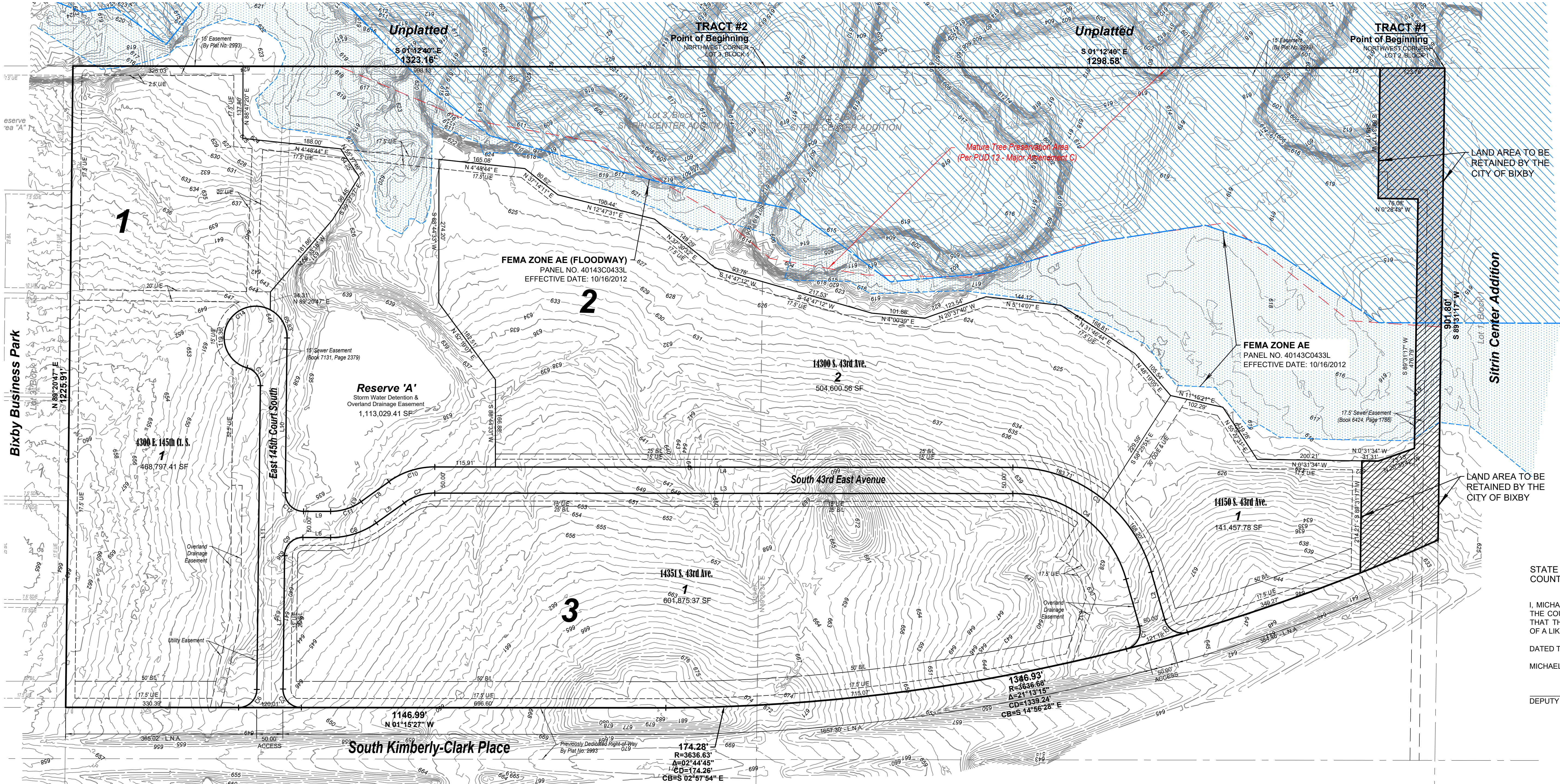


Location Map

SCALE: 1"=2000'



Scale: 1" = 100'



PRELIMINARY
PLAT

STATE OF OKLAHOMA } SS
COUNTY OF TULSA }

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

DATED THE _____ DAY OF _____, 2024.

MICHAEL WILLIS, TULSA COUNTY CLERK

DEPUTY

SOUTH COUNTY INDUSTRIAL PARK
DEED OF DEDICATION & RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

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

TRACT #1

A TRACT OF LAND IS A PORTION OF LOT TWO (2), BLOCK ONE (1), SITRIN CENTER ADDITION, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 2993, SAID TRACT BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 00°01'49" WEST, A DISTANCE OF 1323.58 FEET TO THE SOUTHWEST CORNER OF LOT 2; THENCE SOUTH 89°20'11" EAST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 1219.67 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SOUTH YALE PLACE; THENCE NORTH 03°05'12" WEST A DISTANCE OF 0.00 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 1346.81 FEET, A RADIUS OF 3636.68 FEET, A CHORD BEARING OF NORTH 13°42'02" WEST AND A CHORD LENGTH OF 1339.12 FEET, SAID CURVE BEING ALONG THE WEST LINE OF SAID YALE PLACE, TO A POINT THAT IS THE INTERSECTION OF SAID WEST LINE OF YALE PLACE AND THE NORTH LINE OF SAID LOT 2; THENCE NORTH 89°15'28" WEST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 901.80 FEET TO THE POINT OF BEGINNING.

AND

TRACT #2

A TRACT OF LAND IS A PORTION OF LOT THREE (3), BLOCK ONE (1), SITRIN CENTER ADDITION, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 2993, SAID TRACT BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 3; THENCE SOUTH 00°01'49" WEST ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 1323.58 FEET; THENCE SOUTH 89°24'53" EAST, A DISTANCE OF 1225.91 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SOUTH YALE PLACE; THENCE NORTH 00°00'58" WEST ALONG THE WEST RIGHT OF WAY LINE, A DISTANCE OF 1146.99 FEET TO A POINT OF CURVE; THENCE ALONG A TANGENT CURVE TO THE LEFT HAVING AN ARC LENGTH OF 175.93 FEET, RADIUS OF 3636.63 FEET, A CHORD BEARING OF NORTH 01°42'37" WEST AND A CHORD LENGTH OF 175.39 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 3; THENCE NORTH 89°20'11" WEST ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 1219.67 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 3,051,908.6 SQUARE FEET OR 70.06 ACRES.

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

THE OWNER/DEVELOPER HAS CAUSED THE SUBDIVISION PARCEL TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS AND PUBLIC STREETS, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS 'SOUTH COUNTY INDUSTRIAL PARK', A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA.

SECTION I. STREETS, EASEMENTS AND UTILITIES

A. STREETS AND UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT", FOR OWNER/DEVELOPER AND ALL UTILITY SERVICES WITH FRANCHISE RIGHTS WITHIN TULSA COUNTY FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM 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 RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID; PROVIDED HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY ALL UTILITY LINES INCLUDING WATER LINES, EXCLUDING GAS LINES AND GAS SERVICE LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER SERVICE AND ALL UTILITY SERVICES, EXCLUDING NATURAL GAS, TO THE AREA INCLUDED IN THE PLAT AND ELSEWHERE, AS MAY BE REQUIRED. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE EASTERN PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS 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 EASEMENT WAYS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH ARE 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 OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH 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

- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNER'S LOT.
- WITHIN UTILITY EASEMENTS, RESTRICTED WATERLINE, SANITARY SEWER, STORM SEWER AND DRAINAGE EASEMENTS 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, IN THE JUDGMENT 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 ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR THE OWNER'S AGENTS AND/OR CONTRACTORS.
- THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS, RESTRICTED WATERLINE, SANITARY SEWER, STORM SEWER AND DRAINAGE 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, SANITARY SEWER, OR STORM SEWER FACILITIES.

- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

D. GAS SERVICE

- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSE OF NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT OWNER'S AGENTS OR CONTRACTORS.
- THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE..
- THE FOREGOING COVENANTS CONCERNING UNDERGROUND GAS FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

E. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

F. RESERVE AREA "A"

RESERVE AREA "A" IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING A STORM WATER DETENTION AND OVERLAND DRAINAGE EASEMENT AND IS RESEVED FOR SUBSEQUENT CONVEYANCE TO THE SOUTH COUNTY CROSSING INDUSTRIAL PARK PROPERTY OWNERS' ASSOCIATION, FOR THEIR USE AND MAINTENANCE, AS SET FORTH WITHIN SECTION III HEREOF.

G. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS 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, STATE OF OKLAHOMA AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, STATE OF OKLAHOMA.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, "SOUTH COUNTY INDUSTRIAL PARK" WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT NO. 12 (MAJOR AMENDMENT C), AS PROVIDED WITHIN THE PROVISIONS OF THE CITY OF BIXBY ZONING CODE PERTAINING TO PLANNED UNIT DEVELOPMENTS, AND

WHEREAS PUD NO. 12 (MAJOR AMENDMENT C) WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON SEPTEMBER 18, 2023 AND APPROVED BY BIXBY CITY COUNCIL ON SEPTEMBER 25, 2023, AND

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

WHEREAS, THE OWNER/DEVELOPER ESTABLISHED RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND CITY OF BIXBY, STATE OF OKLAHOMA, AND

THEREFORE, THE OWNER/DEVELOPER DOES HEREBY IMPOSE RESTRICTIONS AND COVENANTS TO ALL LOTS CONTAINED WITHIN THIS SUBDIVISION PLAT (SOUTH COUNTY INDUSTRIAL PARK), AND WHICH COVENANTS SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

GROSS LAND AREA: 70.06 ACRES

SOUTH COUNTY INDUSTRIAL PARK NEIGHBORHOOD P.U.D. DEVELOPMENT STANDARDS INCLUDES ALL LOTS LOCATED WITHIN SOUTH COUNTY INDUSTRIAL PARK:

PROHIBITED USES: THE FOLLOWING USES SHALL BE PROHIBITED BY THE PUD AND NOT ALLOWED ON THE PROPERTY:

(THERE ARE USE UNITS NOT IN A PERMITTED USE THAT ARE IDENTIFIED TO BE CLEAR THAT THEY CANNOT BE INTRODUCED AS AN ACCESSORY USE.)

USE UNIT 13- MEDICAL MARIJUANA DISPENSARY (TO INCLUDE TRANSPORTING USE)

USE UNIT 22- MEDICAL MARIJUANA RESEARCH FACILITY.

USE UNIT 22A- MEDICAL MARIJUANA TESTING LABORATORY.

USE UNIT 23- MEDICAL MARIJUANA WAREHOUSING AND WHOLESALING FACILITY. MEDICAL MARIJUANA GROW FACILITY.

SEXUALLY ORIENTED BUSINESS AS DEFINED IN SECTION 11-7D-6 BIXBY ZONING CODE.

MINIMUM LOT AREA PER UNIT: PER IL ZONE

MINIMUM WIDTH: 50 FEET

MINIMUM SETBACK FROM SIDE PROPERTY LINE: 10 FEET

MINIMUM SETBACK FROM DEVELOPMENT EAST PROPERTY LINE: (RESERVE AREA) 25 FEET

MINIMUM SETBACK FROM DEVELOPMENT NORTH PROPERTY LINE: 20 FEET

MINIMUM SETBACK FROM SOUTH PROPERTY LINE: (OFFICE ZONING) 25 FEET

MAXIMUM PERMITTED BUILDING HEIGHT: 40 FEET

A. SCREENING

PER IL - LIGHT INDUSTRIAL ZONING

B. LANDSCAPING

SUBMITTAL WITH THE REQUIRED SITE PLAN WILL BE AN EXTENSIVE LANDSCAPE PLAN. THE PLAN WILL COMPLY WITH ALL REQUIREMENTS OF THE CITY OF BIXBY CODES. AN ADDITIONAL LANDSCAPE BUFFER IS PLANNED ALONG THE RIGHT OF WAY OF KIMBERLY CLARK PLACE. THIS IS DESIGNED TO PROTECT THE RESIDENTIAL USES ALONG THIS ROADWAY. THE PLAN WILL ALSO INCLUDE PROTECTION OF EXISTING TREES, IF POSSIBLE, AND INCORPORATE FEATURES THAT THAT AIDE IN PROTECTING ADJACENT RESIDENTIAL USE FROM THE ACTIVITIES ON THE SITE. THE APPLICANT SHALL SUBMIT A LANDSCAPING PLAN PREPARED BY A LANDSCAPE ARCHITECT THAT MAXIMIZES VISUAL AESTHETICS AND POSSIBLE SOUND IMPROVEMENT TECHNIQUES DIRECTED AT RESIDENTIAL PROPERTIES LOCATED EAST OF KIMBERLY CLARK PLACE. THE PUD CRITERIA ALLOWS THE LANDSCAPE PLAN TO UTILIZE THE RIGHT OF WAY OF KIMBERLY CLARK PLACE. THE LANDSCAPE PLAN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE BIXBY PLANNING COMMISSION.

PRESERVATION OF MATURE TREES IS REQUIRED IN THE GREENBELT AREA ON THE WEST SIDE OF THE TRACT AND FURTHER DESCRIBED AS WITHIN THE BOUNDARY OF THE 100 YEAR FLOODPLAIN (FLOODWAY).

C. LIGHTING:

EXTERIOR AREA LIGHTING SHALL BE LIMITED TO SHIELDED FIXTURES DESIGNED TO DIRECT LIGHT DOWNWARD AND AWAY FROM ANY ADJACENT RESIDENTIAL PROPERTIES. STREET AND PARKING LOT LIGHTING SHALL NOT EXCEED 15 FEET IN HEIGHT AND BE APPROVED BY CITY ENGINEER PRIOR TO INSTALLATION.

D. SIGNAGE:

- GENERAL REQUIREMENTS:
 - THE DEVELOPMENT MAY PLACE TWO GROUND SIGN ALONG KIMBERLY CLARK PLACE AT EACH ENTRANCE TO THE DEVELOPMENT THAT INCORPORATES THE USES WITHIN THE DEVELOPMENT.
 - GROUND SIGNS ASSOCIATED WITH THE USES SHALL BE LIMITED 120 SQUARE FEET AND SHALL BE SUBMITTED TO CITY FOR APPEARANCE APPROVAL
- WALL OR CANOPY SIGNS WITHIN THE DEVELOPMENT SHALL NOT EXCEED AN AGGREGATE DISPLAY SURFACE AREA OF 1 SQUARE FOOT PER EACH LINEAL FOOT OF THE BUILDING WALL TO WHICH THE SIGN OR SIGNS ARE AFFIXED. WALL AND CANOPY SIGNS SHALL BE FURTHER RESTRICTED AS FOLLOWS:
 - A WALL OR CANOPY SIGN SHALL NOT EXTEND ABOVE THE TOP OF THE PARAPET OR BUILDING WALL ON WHICH IT IS LOCATED

- DURING THE PERIOD OF CONSTRUCTION, BUT NOT EXCEEDING 24 MONTHS, A MAXIMUM OF ONE SIGN ADVERTISING THE CONSTRUCTION MAY BE ERCTED ON THE KIMBERLY CLARK PLACE FRONTAGE OF THE DEVELOPMENT. THIS SIGN SHALL COMPLY WITH THE CITY OF BIXBY SIGN CODE FOR DISPLAY AREA ALLOWED.

E. PARKING:

PARKING SPACES SHALL COMPLY WITH THE REQUIREMENTS OF THE ZONING CODE FOR THE USE BEING INSTALLED.

F. DRAINAGE AND UTILITIES:

ALL PUBLIC UTILITIES ARE AVAILABLE TO THE SITE AND SHALL BE ADDRESSED IN THE REQUIRED PLATTING REQUIREMENTS ASSOCIATED WITH THE REQUESTED ZONE CHANGE.

THE DEVELOPMENT WILL BE REQUIRED TO SUBMIT A DETAILED DRAINAGE PLAN TO THE CITY ENGINEER FOR REVIEW AND APPROVAL IN THE PLATTING PROCESS.

G. SITE PLAN REVIEW:

APPROVAL OF THE PUD ALSO REQUIRES THE SUBMITTAL OF BUILDING ELEVATIONS WITH A DETAILED SITE PLAN TO BE SUBMITTED WITH THE ASSOCIATED LOT SPLIT. THE REQUIRED PLATTING AS SPECIFIED IN THE ZONING CODE WILL BE ESTABLISHED WHEN THE SITE IS FIRST DEVELOPED. THE SITE PLAN REVIEW WILL INCORPORATE THE ELEVATION OF THE BUILDING AND LANDSCAPING PLANS.

SECTION III. PROPERTY OWNERS' ASSOCIATION

A. FORMATION OF PROPERTY OWNERS' ASSOCIATION: A PROPERTY OWNERS' ASSOCIATION, KNOWN AS 'SOUTH COUNTY INDUSTRIAL PARK ASSOCIATION', AN OKLAHOMA NOT-FOR-PROFIT CORPORATION, HAS BEEN OR SHALL BE ESTABLISHED PURSUANT TO 60 O.S. 1991, § 851, ET SEQ., TO MAINTAIN THE RESERVE AREA IN THE SUBDIVISION AND FOR SUCH OTHER PURPOSES AS SHALL BE DEEMED ADVISABLE. ALL LAWFUL ACTS, IF ANY, OF SOUTH COUNTY INDUSTRIAL PARK ASSOCIATION (THE 'ASSOCIATION'), MADE UNDER AND PURSUANT TO ITS CERTIFICATE OF INCORPORATION AND BY-LAWS SHALL BE BINDING UPON THE LOTS CONTAINED IN THE ADDITION AND THE OWNERS THEREOF. MEMBERSHIP IN THE ASSOCIATION SHALL CONSIST OF ALL OWNERS OF LOTS IN THE ADDITION AND ALL OWNERS OF SUCH ADDITIONAL PROPERTY DESIGNATED BY THE DEVELOPER.

B. MEMBERSHIP

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

C. ASSESSMENT

EACH RECORD OWNER OF A LOT SHALL BE SUBJECT TO ASSESSMENT BY THE PROPERTY OWNERS' ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE STORM WATER DETENTION FACILITIES AND OTHER COMMON AREAS, ALL AS MORE PARTICULARLY PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SOUTH COUNTY INDUSTRIAL PARK AND THE BYLAWS OF THE ASSOCIATION.

PRELIMINARY PLAT

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, THEIR SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. STREETS, EASEMENTS AND UTILITIES, AND SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTIONS I AND II, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF THE OWNERS OF THE LOTS WITHIN SOUTH COUNTY INDUSTRIAL PARK AND THE CITY OF BIXBY, STATE OF OKLAHOMA AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, STATE OF OKLAHOMA. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS OR OWNERS OF ANY LOTS WITHIN SOUTH COUNTY INDUSTRIAL PARK SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR THE CITY OF BIXBY, STATE OF OKLAHOMA, ANY OWNER OF A LOT OR A PROPERTY OWNERS' ASSOCIATION FORMED FOR THIS SUBDIVISION 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 BY A PROPERTY OWNERS' ASSOCIATION OR AN OWNER OF A LOT WHICH ACTION SEEKS TO ENFORCE THE COVENANTS OR RESTRICTIONS SET FORTH HEREIN OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEYS FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL AND SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. STREETS, EASEMENTS AND UTILITIES MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE CITY OF BIXBY, STATE OF OKLAHOMA, OR ITS SUCCESSORS. THE COVENANTS WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL LOT OWNERS AND APPROVAL BY THE CITY OF BIXBY, STATE OF OKLAHOMA. THE COVENANTS WITHIN SECTION III. PROPERTY OWNERS' ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL LOT OWNERS. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS 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, SOUTH COUNTY INDUSTRIAL PARK, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2024.

SOUTH COUNTY INDUSTRIAL PARK, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY _____
JAMES ROBERTS, MANAGING MANAGER

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2024, PERSONALLY APPEARED TO ME JAMES ROBERTS, MANAGING MANAGER OF SOUTH COUNTY INDUSTRIAL PARK, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED ON BEHALF OF SOUTH COUNTY INDUSTRIAL PARK, LLC FOR THE USES AND PURPOSES THEREIN SET FORTH.

S. ASHLEY MCCARTY
MY COMMISSION EXPIRES: 8/13/2026
MY COMMISSION NUMBER: 18008059



CERTIFICATE OF SURVEY

I, ANDY FRITZ, OF FRITZ LAND SURVEYING, LLC, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF AUTHORIZATION #5848, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "SOUTH COUNTY INDUSTRIAL PARK", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

ANDY FRITZ
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1694



STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2024, PERSONALLY APPEARED ANDY FRITZ, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS A LICENSED LAND SURVEYOR TO THE FOREGOING CERTIFICATE OF SURVEY AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

JENNIFER FRITZ
MY COMMISSION EXPIRES: 6/23/2026
MY COMMISSION NUMBER: 14005589



PRELIMINARY PLAT

South County Industrial Park

(REVISED 1-2-2024 // TAC & STAFF COMMENTS)

CONCEPTUAL IMPROVEMENTS PLAN

Owner / Developer

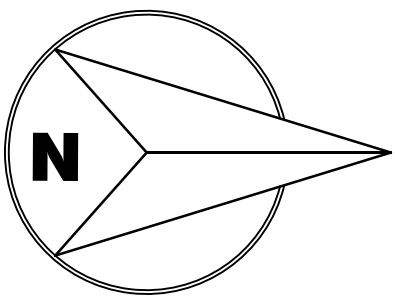
SOUTH COUNTY INDUSTRIAL PARK, LLC
802 WEST 91ST STREET
TULSA, OKLAHOMA 74135
PHONE: (918) 284-7552
MR. JAMES ROBERTS

Surveyor

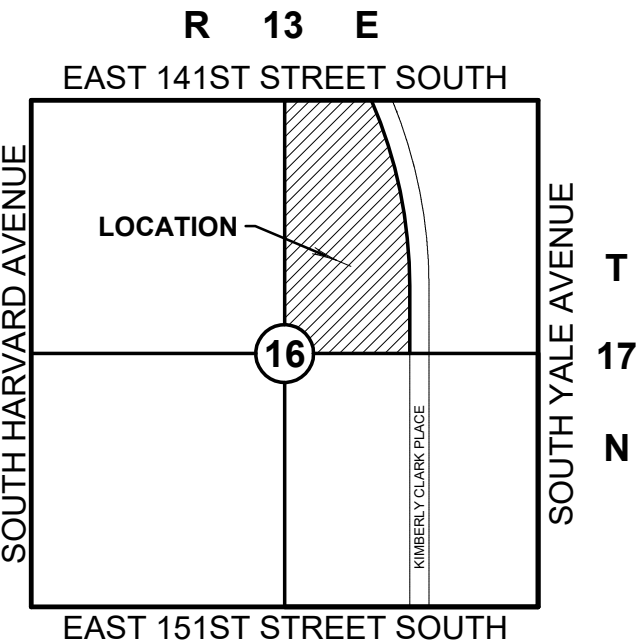
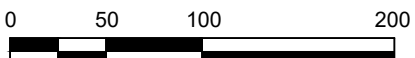
FRITZ LAND SURVEYING, LLC
524 EAST MAIN STREET
TULSA, OKLAHOMA 74037
PHONE: (918) 231-0575
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2024

Engineer

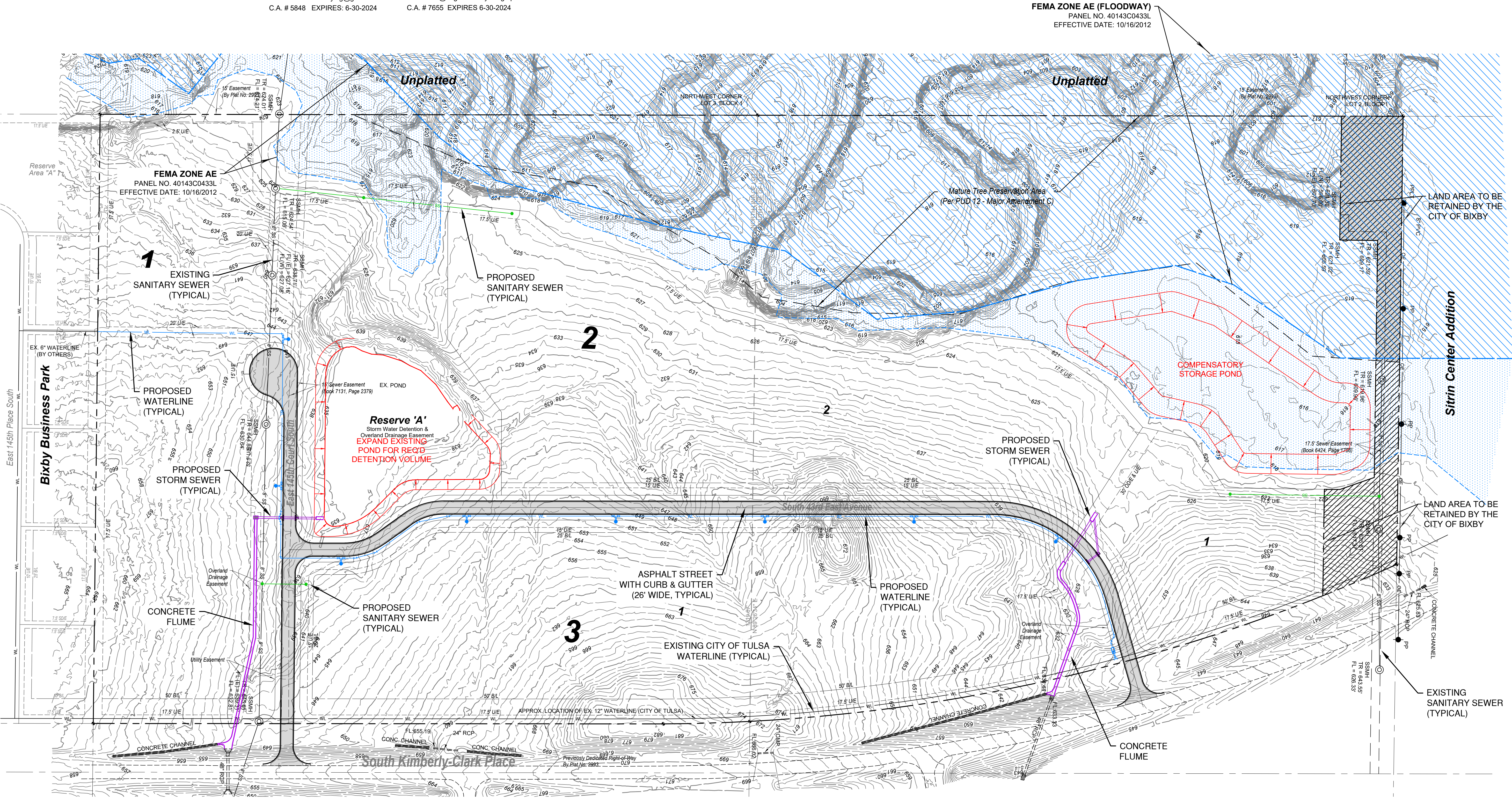
ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0980
EMAIL: ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES: 6-30-2024



Scale: 1" = 100'



Location Map
SCALE: 1"=2000'





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: Gwen Plante, Assistant City Planner
Date: Tuesday, January 16, 2024
Name: Quail Creek Commons
RE: Quail Creek Commons Site Plan, Building A (BXSP 24.02)
Location: South of East 121st Street South, on South 74th Avenue East
STR: Section 2, Township 17N, Range 13E
Applicant: WDesign

Request:
WDesign is requesting a Site Plan approval for Quail Creek Commons, Building A.

Existing Zoning; Use:
Commercial Shopping (CS) together with PUD 76 (Scenic Village Park)

Abutting Zoning; Use:
North: (CG) Commercial Shopping;
East: (CG) Commercial Shopping; Office Buildings
South: (CG) Commercial General; Warehouse
West: (CG) Commercial General; Assisted Living

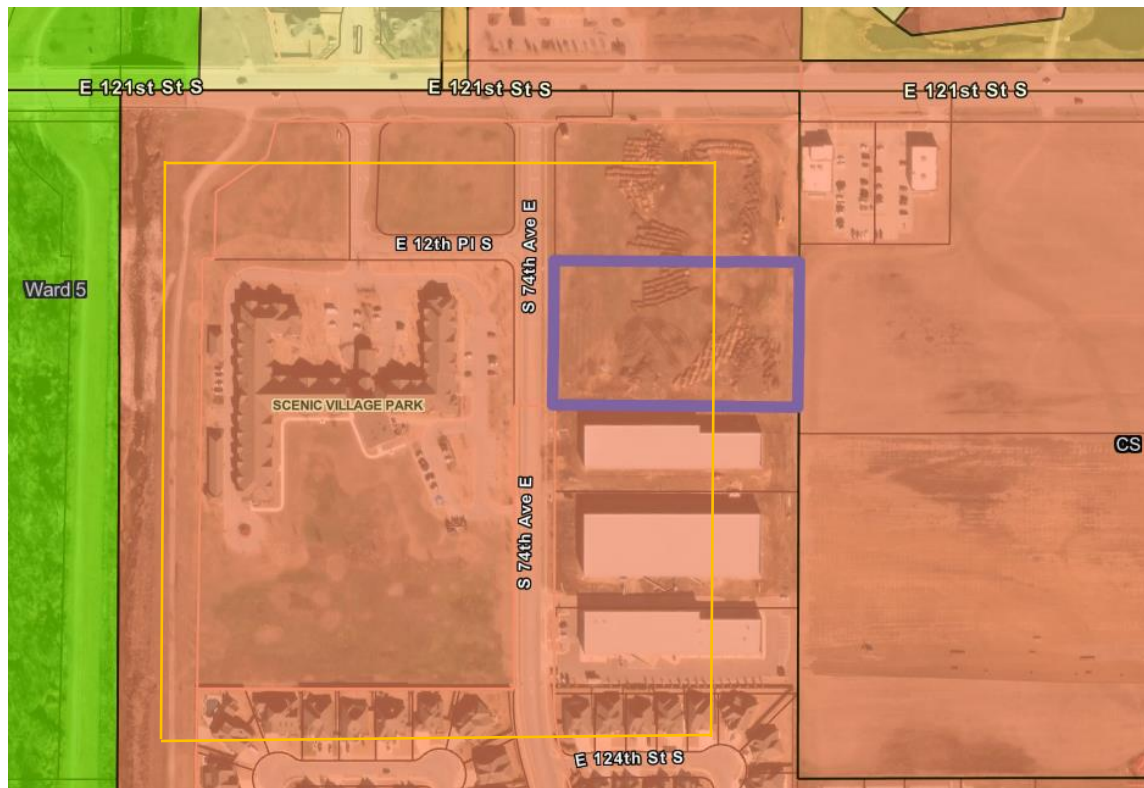


Figure 1: City of Bixby Zoning Map

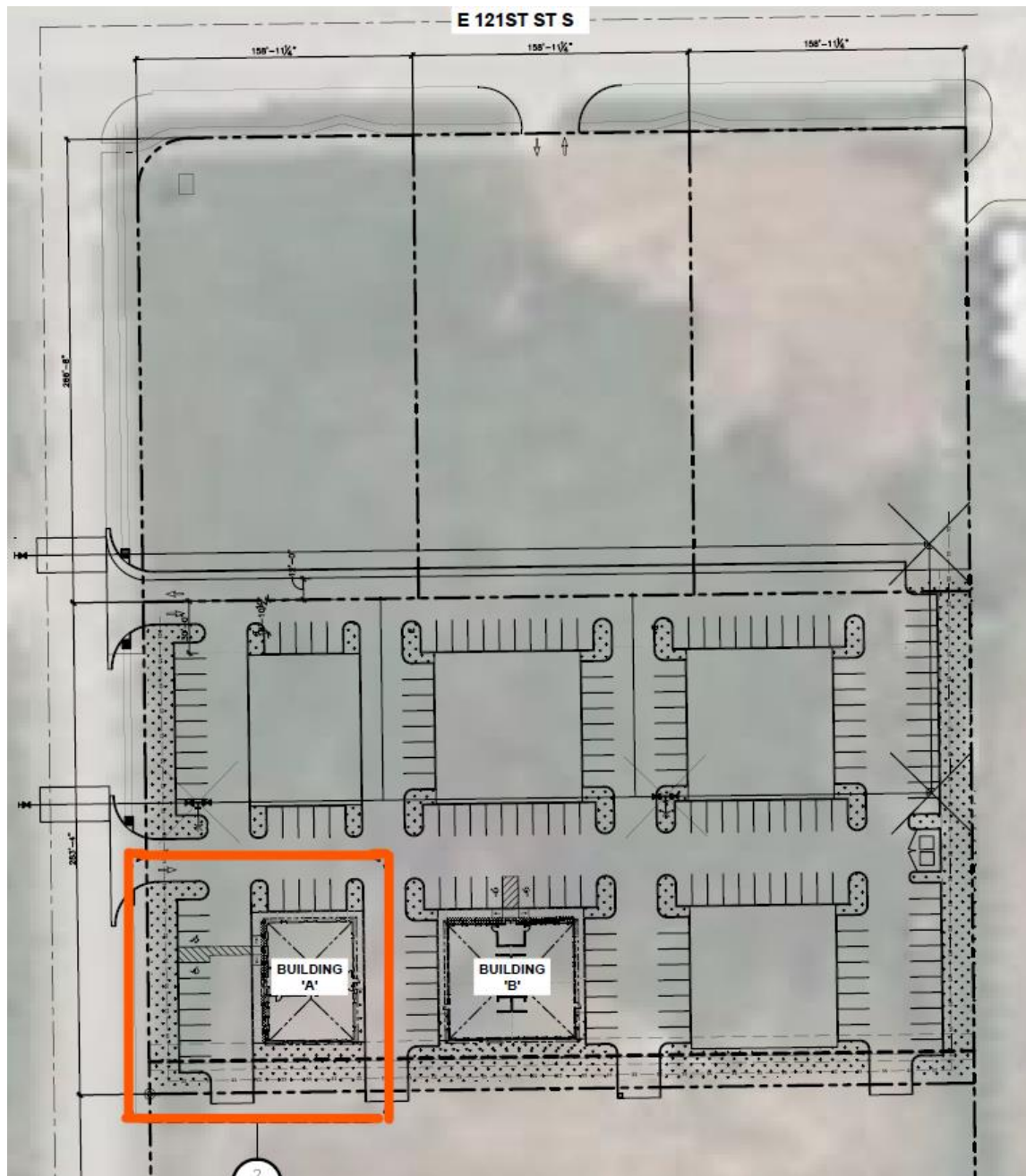


Figure 2: Building “A” location

Staff Review

The applicant is requesting a Site Plan approval for Building A. The proposed development is consistent with development patterns on adjacent and surrounding properties and this is the final phase of this development.

Utilities/Site Area:

Sanitary Sewer:

There is an existing 8" sanitary sewer line located on the Southwest portion of the property.

Water:

There is an existing 12' waterline located on the North side of 121st Street South and there is a 6" waterline that is located along the West side of South 74th Avenue East.

Planning Review Comments:

PUD requires the Site Plan to be presented to both the Planning Commission and City Council for approval.

Staff also comments on the interconnectivity to the North, the applicant stated the intent was to have the connection to the North.

TAC Comments:

Earth Change Permit will not be required on this project, there were concerns that the landscaping plan shows trees within the utility easement to the South and may pose a problem in the future with utility lines, the applicant stated they would review the plan and omit the proposed trees from the utility easement.

Public Comments:

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

Staff Comments:

1. Staff recommends approval

Attachments:

Figure 1: City of Bixby Zoning Map

Figure 2: Building Location

GENERAL NOTES

DETAILED SITE PLAN

- A. ALL DIMENSIONS SHOWN ARE MEASURED FROM PROPERTY LINE, FACE OF CURB, OR FACE OF BUILDING, UNLESS NOTED OTHERWISE.
- B. CONTRACTOR SHALL MAINTAIN A TWO (2) FOOT SEPARATION BETWEEN GAS LINE CONDUITS AND ALL OTHER CONDUIT LINES.
- C. THE CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION OF ALL CONDUITS PRIOR TO THE THE INSTALLATION OF PAVING.
- D. BUILDINGS SHOWN ON THIS PLAN ARE REPRESENTATIVE ONLY AND NOT FOR CONSTRUCTION, REFER TO ARCHITECTURAL DRAWINGS.
- E. CONTRACTOR TO COORDINATE ALL UTILITY SERVICES WITH THEIR RESPECTIVE SUPPLIER.
- F. ALL UTILITY SERVICE CONNECTIONS SHALL BE INSTALLED AS REQUIRED PER RESPECTIVE CITY CODES AND SPECIFICATIONS.
- G. ACCESSIBLE PARKING STALL SIGNS SHALL BE CENTERED ON THEIR RESPECTIVE PARKING STALL. SIGNS SHALL BEAR THE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND ONE SIGN SHALL ALSO BE LABELED VAN ACCESSIBLE. BOTTOM OF SIGNS SHALL BE A MINIMUM OF 60" AND A MAXIMUM OF 72" ABOVE THE SIDEWALK.
- H. THE CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS DEPARTMENT AT LEAST 24 HOURS PRIOR TO THE START OF CONSTRUCTION.
- I. THE CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION STAKING.
- J. NO LIGHT POLE SITE LIGHTING. ALL PARKING LIGHTING IS PROVIDED FROM BUILDING MOUNTED SHIELDED LIGHTING FIXTURES.
- K. PATCH AND REPAIR ANY EXISTING SITE ELEMENTS (SOIL, LANDSCAPE, PAVING, ETC.) DISTURBED DURING THE CONSTRUCTION PROCESS.
- L. CONTRACTOR TO ENSURE AREAS OF NEW PAVING ALONG THE EGRESS ROUTE ADJOINING EXISTING HORIZONTAL SURFACES SHALL BE FLUSH IN NATURE WITH LESS THAN 1/4" VERTICAL RISE.
- M. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VISIT THE SITE PRIOR TO BIDDING TO INSPECT THE SITE AND FAMILIARIZE HIMSELF WITH EXISTING CONDITIONS AFFECTING AREAS OF NEW CONSTRUCTION. THE CONTRACTOR SHALL NOT DISPUTE OR ASSERT THAT THERE IS ANY MISUNDERSTANDING IN REGARDS TO LOCATION, EXTENT, NATURE OR AMOUNT OF WORK TO BE PERFORMED UNDER THIS CONTRACT DUE TO THE CONTRACTOR'S FAILURE TO PERFORM THESE DUTIES
- N. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND VERIFYING ALL EXISTING UNDERGROUND UTILITIES IN ALL AREAS AFFECTED BY NEW WORK PRIOR TO COMMENCEMENT OF ANY EXCAVATION. EXISTING UTILITIES SHOWN ON THE DRAWINGS ARE APPROXIMATE ROUTING LOCATIONS AS BEST DETERMINED FROM EXISTING SURVEY BUT SHOULD NOT BE CONSTRUED TO REPRESENT ALL EXISTING UTILITIES
- O. FIELD VERIFY IS DEFINED AS FOLLOWS: THE GENERAL CONTRACTOR IS REQUIRED TO FIELD SURVEY THE NOTED CONDITION AND/OR DIMENSION PRIOR TO CONSTRUCTION OR PREPARATION OF SUBMITTAL SHOP DRAWINGS AND INTEGRATE FIELD SURVEY INFORMATION INTO THE CONSTRUCTION

KEYNOTES

SITE PLAN

1. NEW 5'-0" SIDEWALK. MAXIMUM CROSS SLOPE NOT TO EXCEED 2%, TYPICAL
2. NEW LANDSCAPE PLANTER BED; RE: CIVIL LANDSCAPE DRAWINGS, SHEET C111
3. NEW ACCESSIBLE RAMP 1:12 MAX.
4. ACCESSIBLE PARKING STALL

SITE DATA: PUD 76

QUAIL CREEK COMMONS: LOT 1 BLK 1
DEVELOPMENT AREA H

LAND AREA SUMMARY

LOT 1 LAND AREA	134,587 SF (3.09 ACRES)
LANDSCAPE AREA REQUIRED	13,459 SF (10%)
LANDSCAPE AREA PROVIDED	15,643 SF (11.6%)

SITE DATA:

ZONING	COMMERCIAL GENERAL (CG)
FIRST FLOOR BUILDING AREA:	3,480 SF
BUILDING HEIGHT PERMITTED:	40'
TALLEST BUILDING HEIGHT PROPOSED:	23'-0" TOP OF RIDGE

PARKING SPACE REQUIREMENT:

OFFICE / RATIO PER USE:	1/350
NUMBER OF SPACES REQUIRED:	10
NUMBER OF EXISTING SPACES PROVIDED:	15 (PLUS SHARED PARKING DEVELOPMENT)

ACCESSIBLE SPACES REQUIRED:	1 VAN / 1 STANDARD
ACCESSIBLE SPACES PROVIDED:	2 (ALL CLASSIFY AS VAN)

IMPERVIOUS AREA:

TOTAL SITE AREA (LOT 11)	134,587 SF (3.09 AC)
--------------------------	----------------------

IMPERVIOUS AREA:	114,716 SF (2.63 AC)
PERVIOUS AREA:	19,871 SF (0.46 AC)

SETBACKS:

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

LEGAL DESCRIPTION:

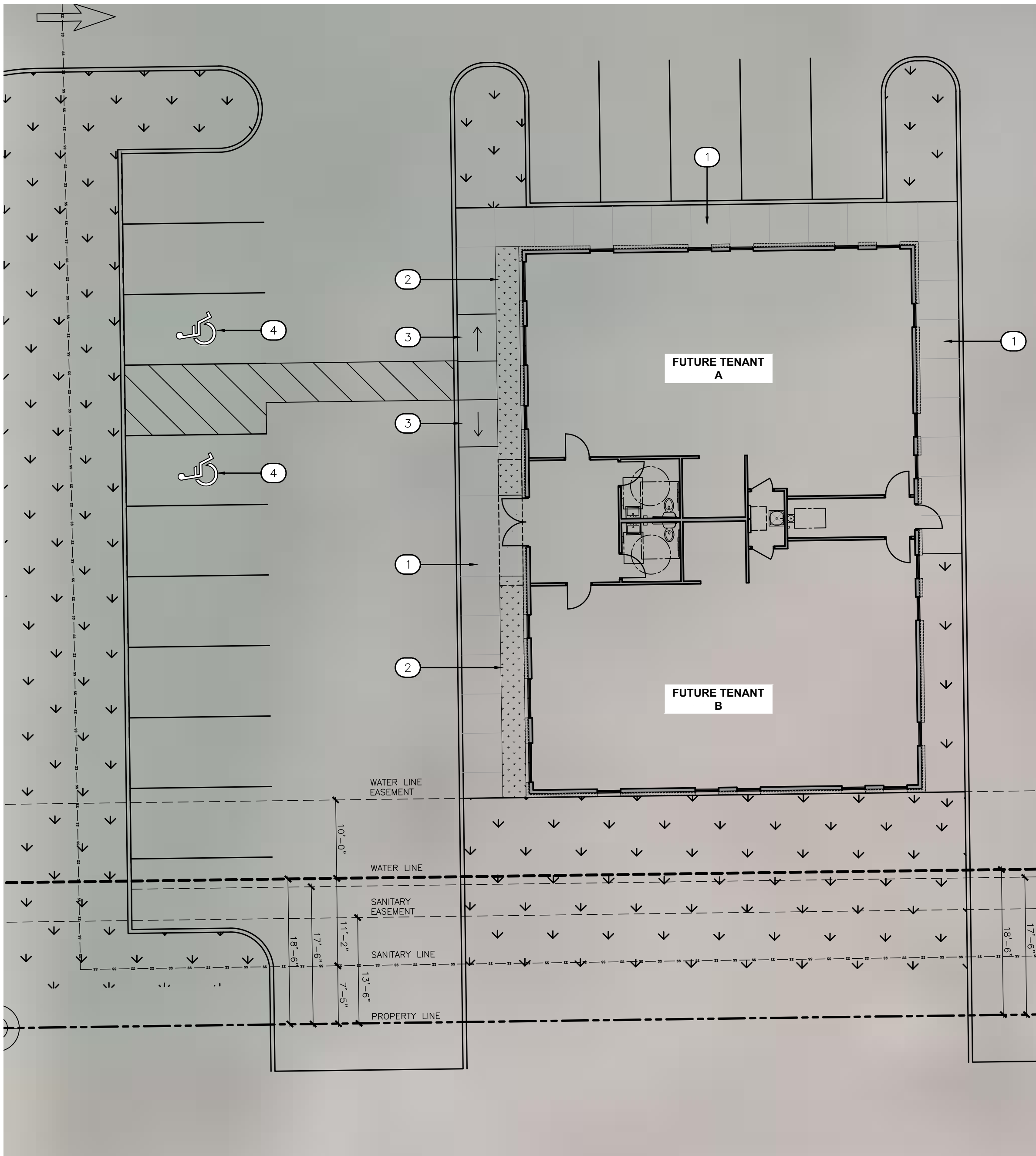
LOT ONE (1), BLOCK ONE (1), QUAIL CREEK COMMONS, A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA RECORDED AS PLAT #6819

EXTERIOR LIGHTING:

NO POLE LIGHTS PROVIDED.

SITE PLAN LEGEND

	EXISTING LANDSCAPED AREA (GRASS)
	NEW LANDSCAPED PLANTER BED; RE: CIVIL LANDSCAPE PLAN, SHEET C111
	NEW PAINTED ACCESSIBLE TRAVEL PATH STRIPING

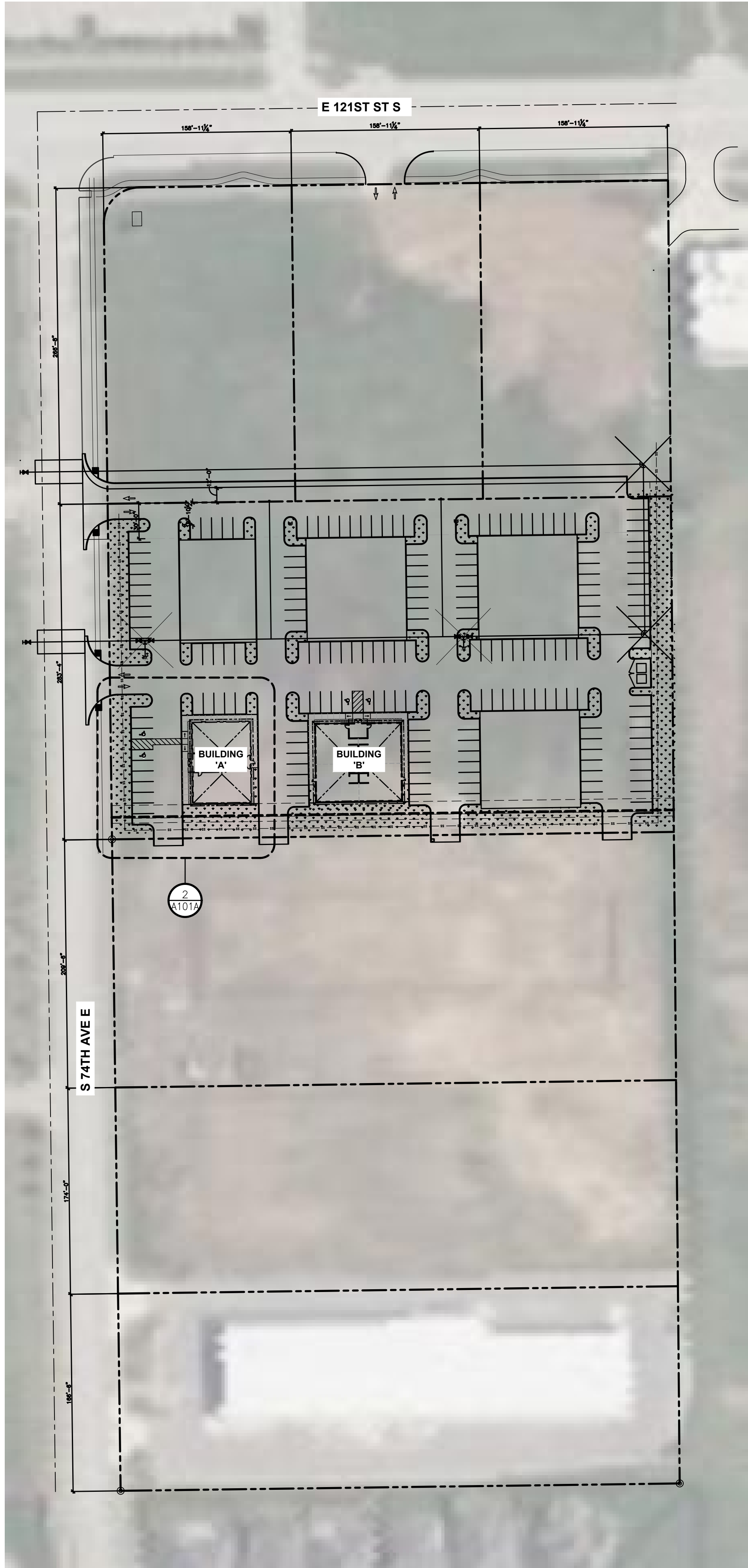


2 ENLARGED SITE PLAN

SCALE: 0 20'-0" 40'-0"
SCALE: 3/32"=1'-0"

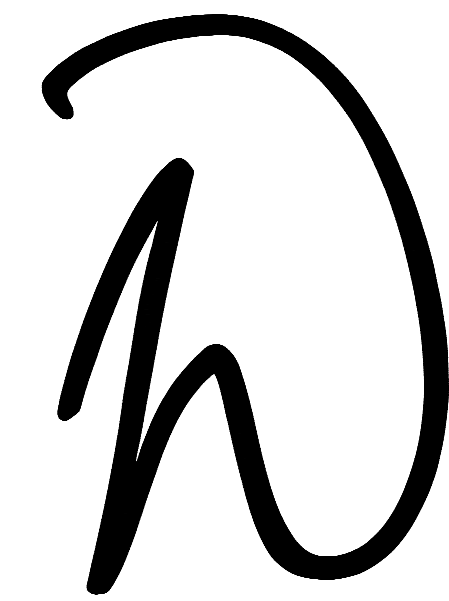


NOTE: GC TO FIELD VERIFY EXISTING ACCESSIBLE PARKING AND AISLE GRADING SLOPE DOES NOT EXCEED 1:48 SLOPE



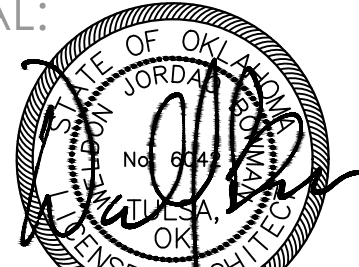
1 OVERALL SITE PLAN

SCALE: 0 70'-0" 140'-0"
SCALE: 1/64"=1'-0"



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

SEAL:



12/05/2023
WELDON BOWMAN, AIA
OK LICENSE NO. 6042
CA# 02461 EXPIRES 06/30/2025

PROJECT:

QUAIL CREEK
COMMONS
BUILDING A

PROJECT #
18133

E. 121ST STREET S.
BIXBY, OK
74011

CONSULTANT:

REVISIONS:

ISSUE DATE:

12.05.2023

SHEET NAME:
ARCHITECTURAL
SITE PLAN
BUILDING A

SHEET #:

A101A

GENERAL NOTES

- ALL DIMENSIONS ARE TO CENTERLINE OF OBJECT, EXCEPT FOR THE PERIMETER STUDS WHICH ARE DIMENSIONED TO EDGE OF SLAB. MASONRY OPENINGS WHICH ARE FROM FACE OF BRICK, AND AREAS WHERE SHOWN CLEAR DIMENSION IS REQUIRED; U.N.O.
- ALL DOORS SHALL BE SET 4" OFF WALL, OR 6" FROM WALL WITH A DOOR CLOSER, MEASURED FROM THE HINGE SIDE OF INTERIOR DOORS, UNLESS NOTED OTHERWISE.
- COORDINATE ELECTRICAL AND LIGHTING LOCATIONS WITH CONTRACTOR PRIOR TO INSTALLATION.
- PROVIDE EVENLY SPACED VERTICAL CONTROL JOINTS NOT TO EXCEED 30'-0" HORIZONTAL DISTANCE BETWEEN SUCH JOINTS ON ALL GYPSUM BOARD AND STUCCO WALLS, OR AS SPECIFIED BY THE MANUFACTURER.
- NOTIFY ARCHITECT IMMEDIATELY IF DIFFERENT CONDITIONS EXIST FROM WHAT IS DESCRIBED.
- ALL EXIT DOORS SHALL BE OPERATIVE FROM THE INSIDE WITHOUT THE USE OF A KEY, OR ANY SPECIAL KNOWLEDGE, OR EFFORT.
- DOOR HARDWARE SHALL MEET REQUIREMENTS OF IBC 2015 SECTION 1010.1.9.1 - DOOR HANDLES, PULLS, LATCHES, LOCKS AND OTHER OPERATING DEVICES ON DOORS REQUIRED TO BE ACCESSIBLE BY CHAPTER 11 SHALL NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING, OR TWISTING OF THE WRIST TO OPERATE.
- PROVIDE WATER COOLER WITH DISPOSABLE CUPS.
- COORDINATE UNDERGROUND PLUMBING LOCATIONS BEFORE POURING CONCRETE FLOOR SLAB, RE: PLUMBING DRAWINGS
- PROPERLY INSTALL APPROVED PORTABLE FIRE EXTINGUISHERS WITHIN 50 FOOT WALKING DISTANCE FROM EVERY POINT. COORDINATE LOCATIONS WITH LOCAL AUTHORITIES HAVING JURISDICTION.
- PROVIDE EVENLY SPACED VERTICAL CONTROL JOINTS NOT TO EXCEED 30'-0" HORIZONTAL DISTANCE BETWEEN SUCH JOINTS ON ALL GYPSUM BOARD WALLS OR AS SPECIFIED IN MANUFACTURER'S GUIDELINES.
- GENERAL CONTRACTOR SHALL VISIT SITE AND BECOME FAMILIAR WITH EXTENT OF BUILDING PRIOR TO START OF WORK.
- NOTIFY ARCHITECT IMMEDIATELY IF DIFFERENT CONDITIONS EXIST FROM WHAT IS DESCRIBED.
- CONTRACTOR SHALL PROVIDE EMERGENCY EGRESS LIGHTING AS REQUIRED TO MAINTAIN AVERAGE ILLUMINATION LEVEL OF 1 FOOT CANDLE AT FLOOR LEVEL THROUGHOUT PATH OF EGRESS.
- FLOOR LANDING TO BE SAME ELEVATION ON EACH SIDE OF DOOR. LANDINGS SHALL BE LEVEL EXCEPT FOR EXTERIOR LANDINGS WHICH SHALL HAVE A MAX OF 2% SLOPE. ALL EXTERIOR LANDINGS TO HAVE A MAX OF 2% SLOPE.

REFERENCING

- A. RE: A001 FOR GENERAL NOTES, DIRECTIVES, SYMBOLS AND ABBREVIATIONS
B. RE: A500 SERIES DRAWINGS FOR REFLECTED CEILING PLANS AND CEILING DETAILS
C. RE: A600 SERIES DRAWINGS FOR ROOF PLAN

KEYNOTES FLOOR PLAN

- ELECTRICAL PANEL, RE ELEC
- MOP SINK
- ELECTRIC WATER HEATER, GC TO COORDINATE TYPE, NUMBER AND FINAL LOCATION, RE: ELEC
- BRICK VENEER WAINSCOT, RE: ELEVATIONS
- STONE VENEER, RE: ELEVATIONS
- KNOX BOX AT 6' A.F.F.
- HOSE BIB, GC TO COORDINATE FINAL LOCATION
- ATTIC ACCESS LADDER
- WATER COOLER WITH DISPOSABLE CUPS TO BE LOCATED BETWEEN 36" AND 40" A.F.F. FINAL LOCATION PROVIDED BY OWNER
- DASHED LINE INDICATES FUTURE CONSTRUCTION

KEYNOTES TOILET ACCESSORIES AND KEYNOTES

- TOILET PAPER DISPENSER, JUMBO ROLL
- SANITARY NAPKIN DISPOSAL, SINGLE COMPARTMENT
- GRAB BAR - 36", RE: 1/A001 FOR MT. HT (ADA REQ.)
- GRAB BAR - 42", RE: 1/A001 FOR MT. HT (ADA REQ.)
- GRAB BAR - 18" VERT., RE: 1/A001 FOR MT. HT (ADA REQ.)
- MIRROR, TEMPERED GLASS
- PAPER TOWEL DISPENSER
- WALL MOUNTED SOAP DISPENSER
- 30"x48" CLEAR SPACE (ADA REQUIREMENT)
- 5'-0" TURN RADIUS (ADA REQUIREMENT)
- FLOOR DRAIN TO SANITARY SEWER
- PLUMBING FIXTURE, RE: PLUMBING
- RESTROOM SIGNAGE, RE: 1/a002 FOR MT. HT.

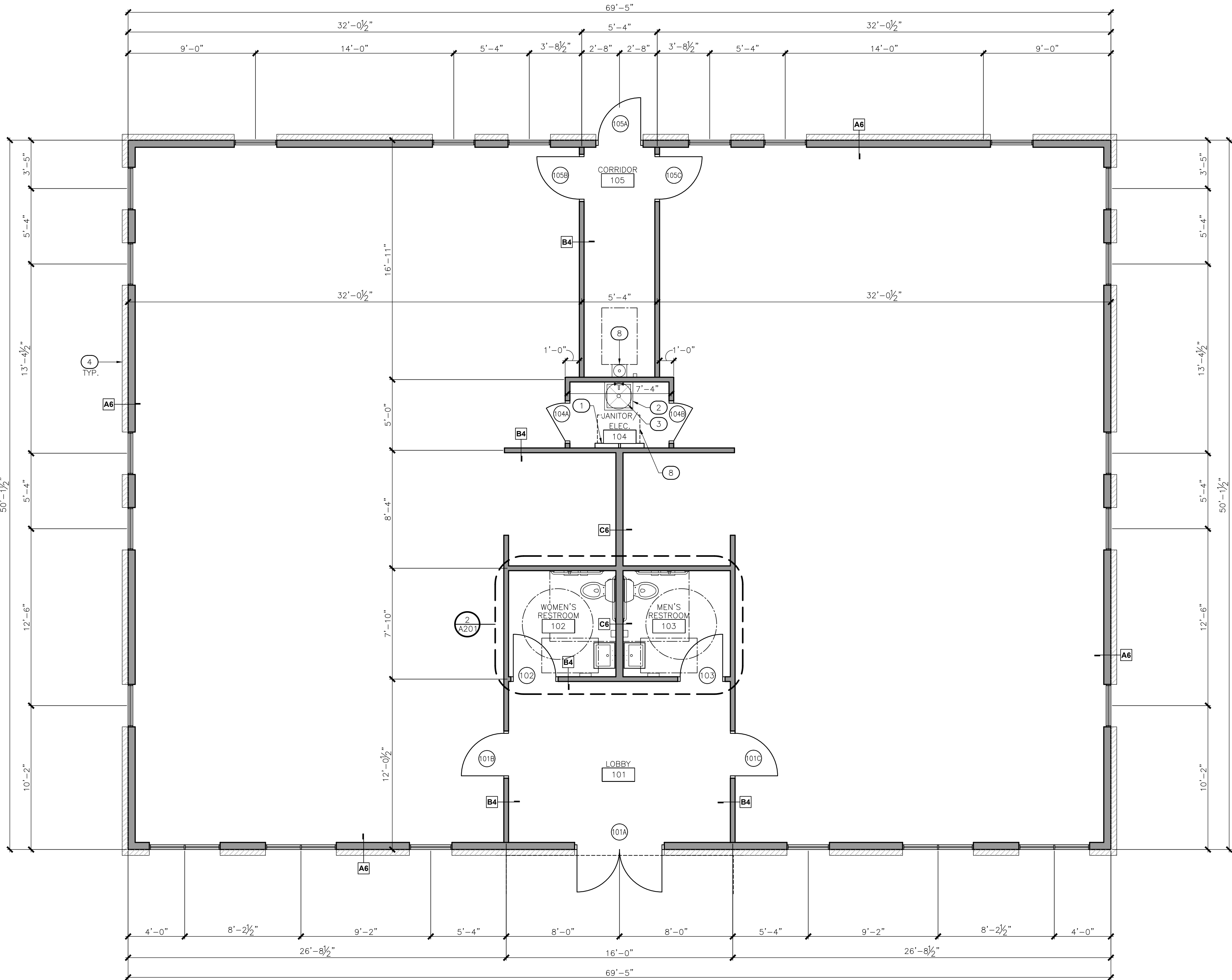
LEGEND

SYMBOL	DESCRIPTION
	NEW WALL - WOOD STUD
	EXTENTS OF EXTERIOR VENEER
LETTER INDICATES WALL TYPE REF PLANS NUMBER INDICATES STUD SIZE AS FOLLOWS: 4 - 2x4 WOOD 6 - 2x6 WOOD	

WALL ASSEMBLIES

WALL TYPE	UL DESIGN #	NOTES
		WOOD STUDS AT 16" O.C. EXTERIOR WALL WITH 5/8" GYP. ON INSIDE FACE AND 5/8" EXTERIOR SHEATHING ON EXTERIOR FACE, REF. EXTERIOR WALL SECTIONS
		WOOD STUDS AT 16" O.C. INTERIOR WALL WITH 5/8" GYP. ON BOTH SIDES. PROVIDE MOISTURE RESISTANT GYP. AT ALL WET LOCATIONS
		WOOD STUDS AT 16" O.C. INTERIOR WALL WITH 5/8" ON INSIDE FACE. PROVIDE MOISTURE RESISTANT GYP. AT ALL WET LOCATIONS. (PLUMBING WALL)

NOTE: TYPICAL STUD SPACING IS 16" O.C.



1 BUILDING A OVERALL FLOOR PLAN

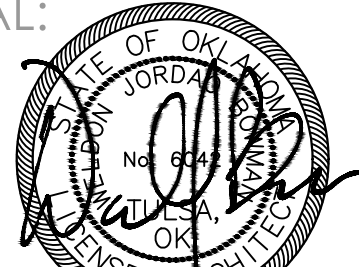
SCALE: 1/4" = 1'-0"

3,512 SF TOTAL



ARCHITECTURE & INTERIORS
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www.wdesignsite.com

SEAL:



12/05/2023
WELDON BOWMAN, AIA
OK LICENSE NO. 6042
CA# 02461 EXPIRES 06/30/2025

PROJECT:

QUAIL CREEK COMMONS BUILDING A

PROJECT #
18133

E. 121ST STREET S.
BIXBY, OK
74011

CONSULTANT:

REVISIONS:

ISSUE DATE:

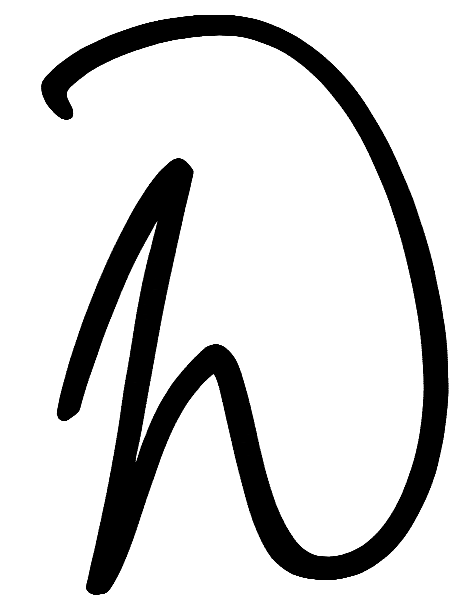
12.05.2023

SHEET NAME:

FLOOR PLAN BUILDING A

SHEET #:

A201A



wdesign
ARCHITECTURE & INTERIORS
608 E. 3rd Street
Tulsa, OK 74120
Office: 918.794.6616
Fax: 918.794.6602
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PROJECT:

**QUAIL CREEK
COMMONS
BUILDING A**

**PROJECT #
18133**

**E. 121ST STREET S.
BIXBY, OK
74011**

CONSULTANT:

REVISIONS:

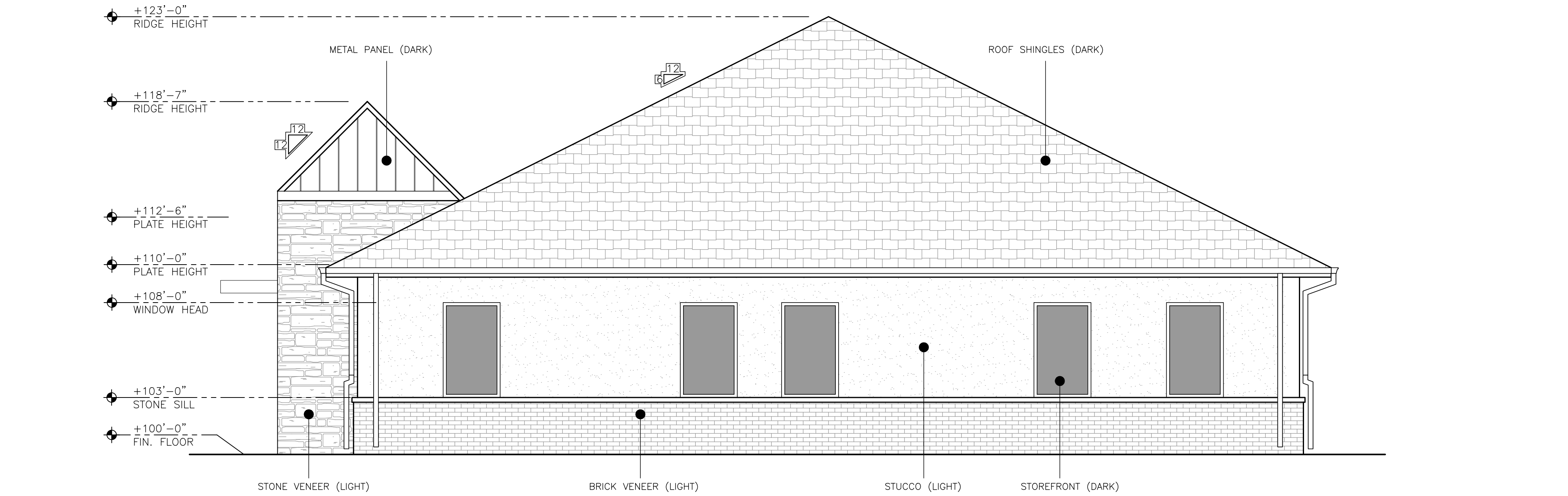
ISSUE DATE:

12.05.2023

SHEET NAME:
**EXTERIOR
ELEVATIONS
BUILDING A**

SHEET #:

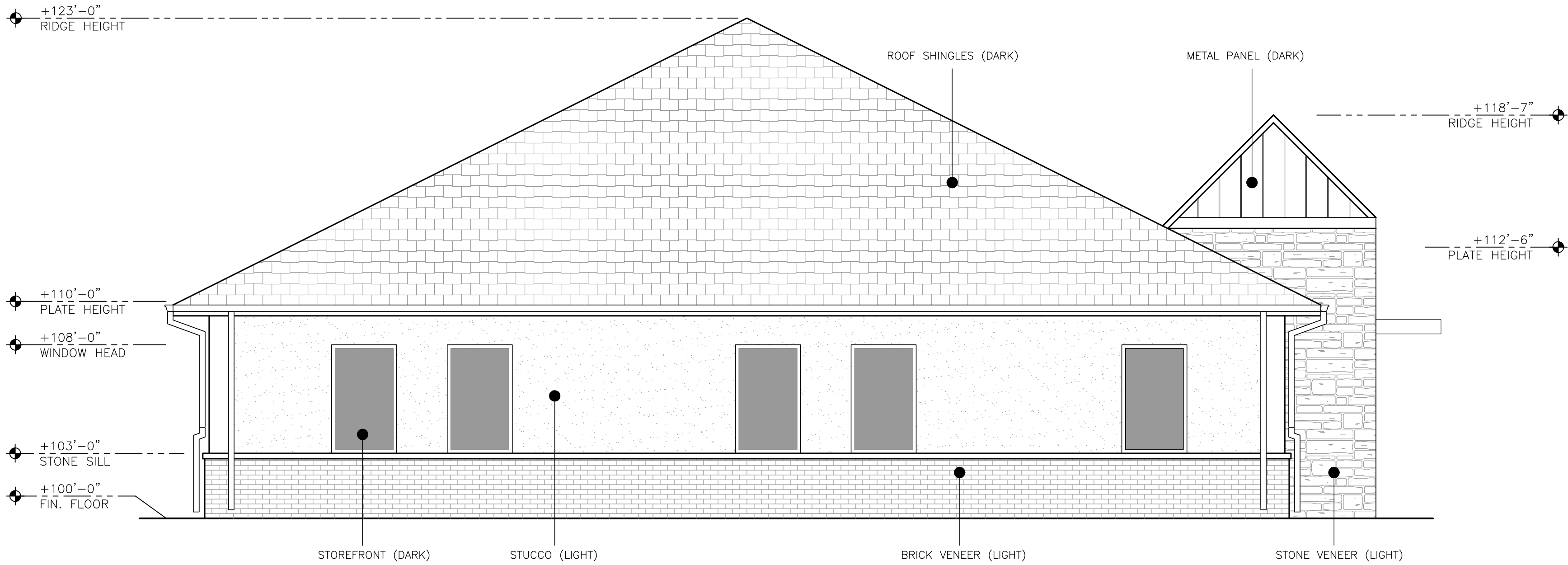
A301A



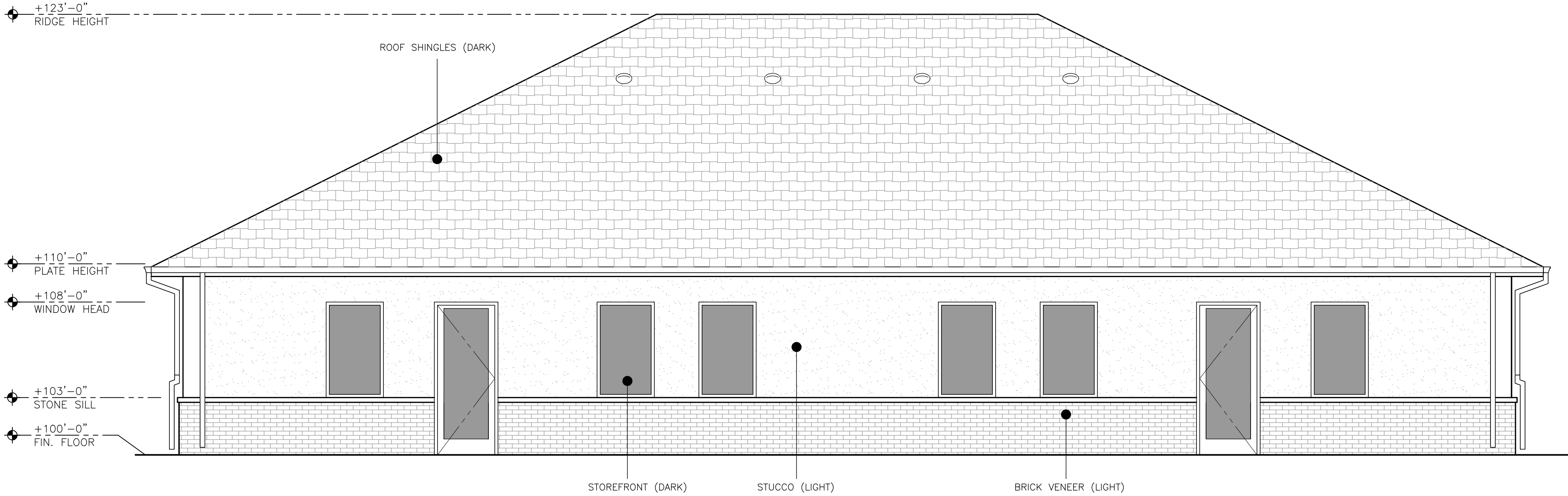
2 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



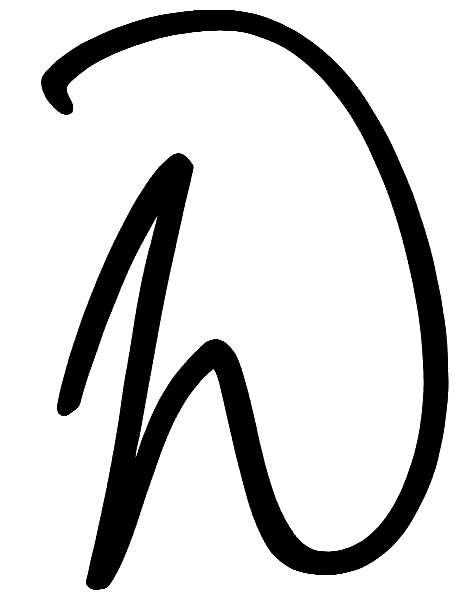
1 WEST ELEVATION
SCALE: 1/4" = 1'-0"



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

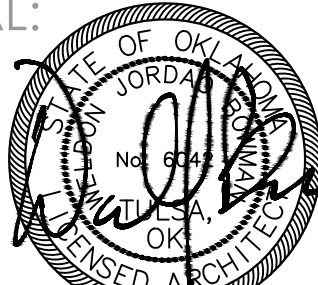


1 EAST ELEVATION
SCALE: 1/4" = 1'-0"



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SEAL:



12/05/2023
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PROJECT:

QUAIL CREEK
COMMONS
BUILDING A

PROJECT #
18133

E. 121ST STREET S.
BIXBY, OK
74011

CONSULTANT:

REVISIONS:

ISSUE DATE:

12.05.2023

SHEET NAME:
EXTERIOR
ELEVATIONS
BUILDING A

SHEET #:

A302A



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: Gwen Plante, Assistant City Planner
Date: Tuesday, January 16, 2024
Name: Quail Creek Commons
RE: Quail Creek Commons Site Plan, Building B (BXSP 24.03)
Location: South of East 121st Street South, on South 74th Avenue East
STR: Section 2, Township 17N, Range 13E
Applicant: WDesign

Request:
WDesign is requesting a Site Plan approval for Quail Creek Commons, Building B.

Existing Zoning; Use:
Commercial Shopping (CS) together with PUD 76 (Scenic Village Park)

Abutting Zoning; Use:
North: (CG) Commercial Shopping;
East: (CG) Commercial Shopping; Office Buildings
South: (CG) Commercial General; Warehouse
West: (CG) Commercial General; Assisted Living

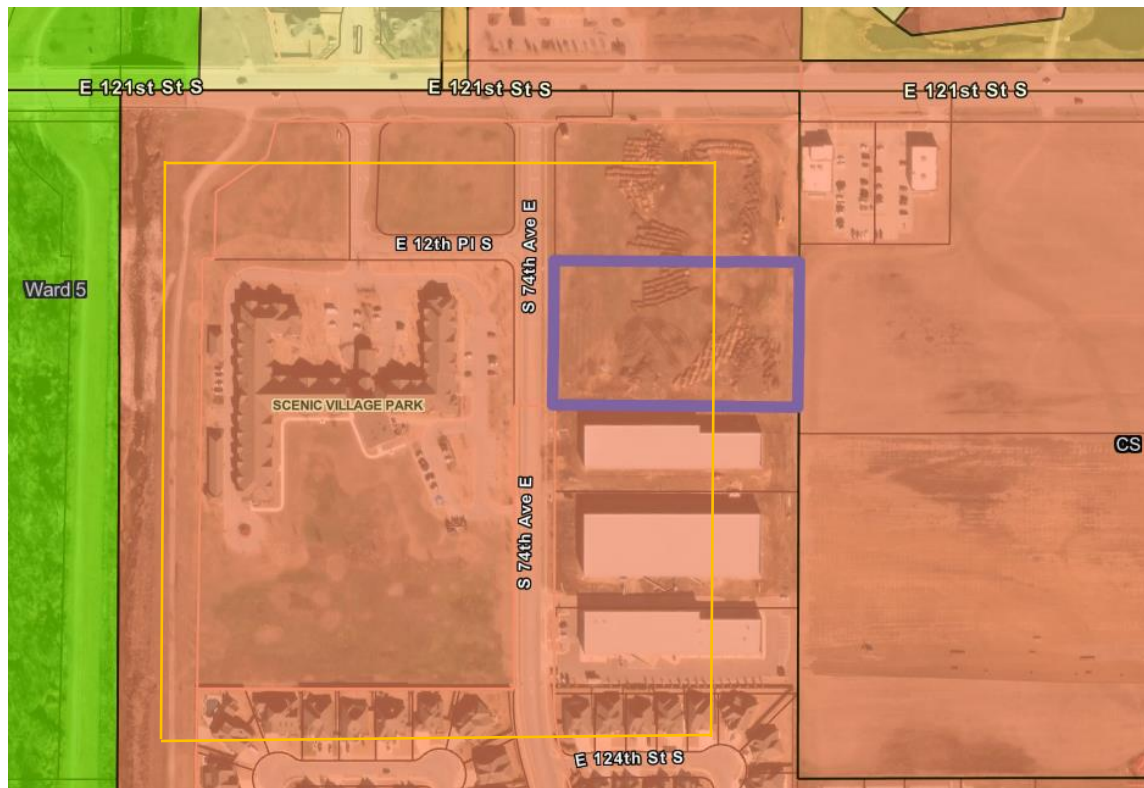


Figure 1: City of Bixby Zoning Map

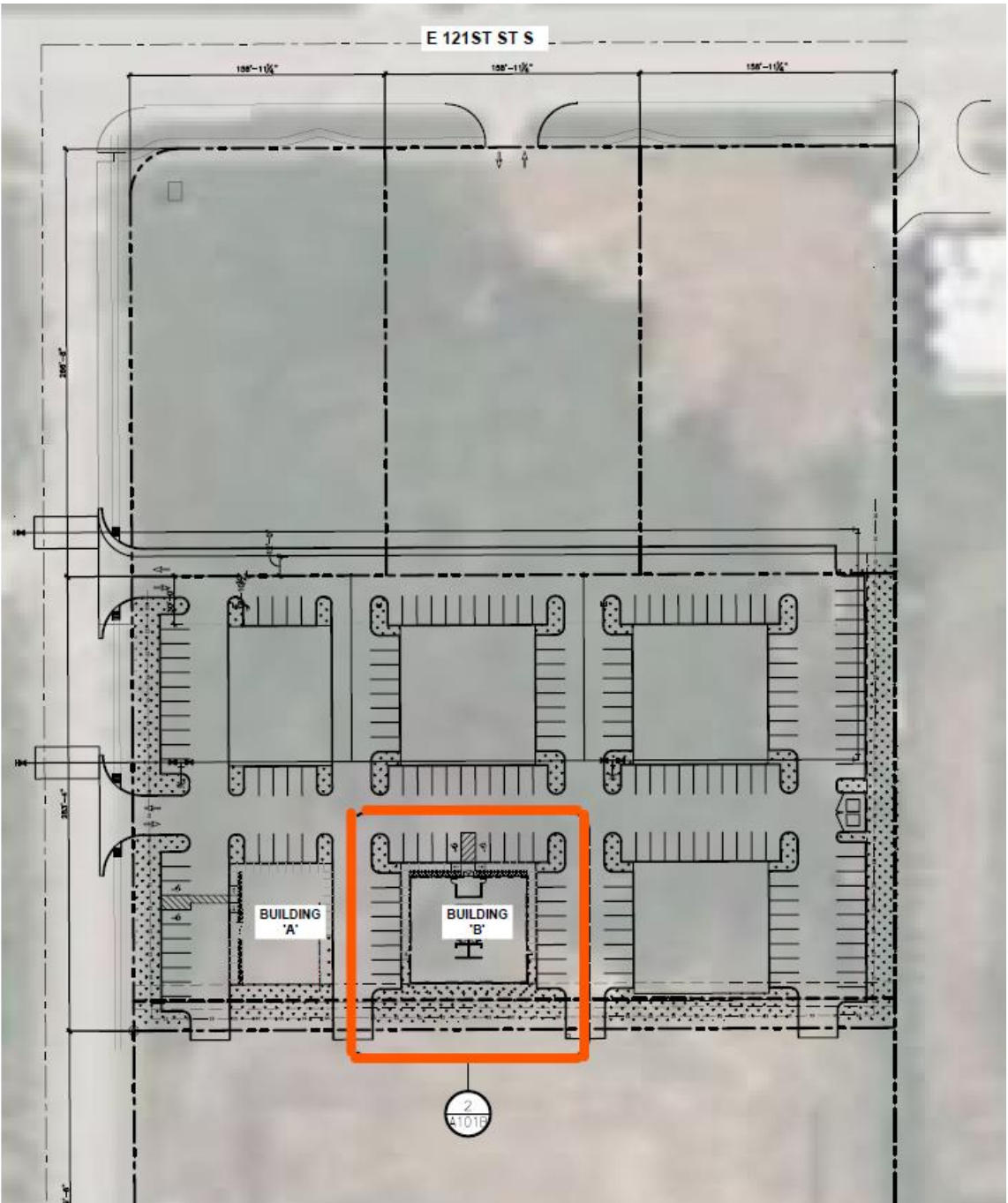


Figure 2: Building “B” location

Staff Review

The applicant is requesting a Site Plan approval for Building B. The proposed development is consistent with development patterns on adjacent and surrounding properties and this is the final phase of this development.

Utilities/Site Area:

Sanitary Sewer:

There is an existing 8" sanitary sewer line located on the Southwest portion of the property.

Water:

There is an existing 12' waterline located on the North side of 121st Street South and there is a 6" waterline that is located along the West side of South 74th Avenue East.

Planning Review Comments:

PUD requires the Site Plan to be presented to both the Planning Commission and City Council for approval.

Staff also comments on the interconnectivity to the North, the applicant stated the intent was to have the connection to the North.

TAC Comments:

Earth Change Permit will not be required on this project, there were concerns that the landscaping plan shows trees within the utility easement to the South and may pose a problem in the future with utility lines, the applicant stated they would review the plan and omit the proposed trees from the utility easement.

Public Comments:

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

Staff Comments:

1. Staff recommends approval

Attachments:

Figure 1: City of Bixby Zoning Map

Figure 2: Building Location

GENERAL NOTES

DETAILED SITE PLAN

- A. ALL DIMENSIONS SHOWN ARE MEASURED FROM PROPERTY LINE, FACE OF CURB, OR FACE OF BUILDING, UNLESS NOTED OTHERWISE.
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- D. BUILDINGS SHOWN ON THIS PLAN ARE REPRESENTATIVE ONLY AND NOT FOR CONSTRUCTION, REFER TO ARCHITECTURAL DRAWINGS.
- E. CONTRACTOR TO COORDINATE ALL UTILITY SERVICES WITH THEIR RESPECTIVE SUPPLIER.
- F. ALL UTILITY SERVICE CONNECTIONS SHALL BE INSTALLED AS REQUIRED PER RESPECTIVE CITY CODES AND SPECIFICATIONS.
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- I. THE CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION STAKING.
- J. NO LIGHT POLE SITE LIGHTING. ALL PARKING LIGHTING IS PROVIDED FROM BUILDING MOUNTED SHIELDED LIGHTING FIXTURES.
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- L. CONTRACTOR TO ENSURE AREAS OF NEW PAVING ALONG THE EGRESS ROUTE ADJOINING EXISTING HORIZONTAL SURFACES SHALL BE FLUSH IN NATURE WITH LESS THAN 1/4" VERTICAL RISE.
- M. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VISIT THE SITE PRIOR TO BIDDING TO INSPECT THE SITE AND FAMILIARIZE HIMSELF WITH EXISTING CONDITIONS AFFECTING AREAS OF NEW CONSTRUCTION. THE CONTRACTOR SHALL NOT DISPUTE OR ASSERT THAT THERE IS ANY MISUNDERSTANDING IN REGARDS TO LOCATION, EXTENT, NATURE OR AMOUNT OF WORK TO BE PERFORMED UNDER THIS CONTRACT DUE TO THE CONTRACTOR'S FAILURE TO PERFORM THESE DUTIES
- N. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND VERIFYING ALL EXISTING UNDERGROUND UTILITIES IN ALL AREAS AFFECTED BY NEW WORK PRIOR TO COMMENCEMENT OF ANY EXCAVATION. EXISTING UTILITIES SHOWN ON THE DRAWINGS ARE APPROXIMATE ROUTING LOCATIONS AS BEST DETERMINED FROM EXISTING SURVEY BUT SHOULD NOT BE CONSTRUED TO REPRESENT ALL EXISTING UTILITIES
- O. FIELD VERIFY IS DEFINED AS FOLLOWS: THE GENERAL CONTRACTOR IS REQUIRED TO FIELD SURVEY THE NOTED CONDITION AND/OR DIMENSION PRIOR TO CONSTRUCTION OR PREPARATION OF SUBMITTAL SHOP DRAWINGS AND INTEGRATE FIELD SURVEY INFORMATION INTO THE CONSTRUCTION

KEYNOTES

SITE PLAN

1. NEW 5'-0" SIDEWALK. MAXIMUM CROSS SLOPE NOT TO EXCEED 2%, TYPICAL
2. NEW LANDSCAPE PLANTER BED; RE: CIVIL LANDSCAPE DRAWINGS, SHEET C111
3. NEW ACCESSIBLE RAMP 1:12 MAX.
4. ACCESSIBLE PARKING STALL



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

SITE DATA: PUD 76

QUAIL CREEK COMMONS: LOT 1 BLK 1
DEVELOPMENT AREA H

LAND AREA SUMMARY

LOT 1 LAND AREA	134,587 SF (3.09 ACRES)
LANDSCAPE AREA REQUIRED	13,459 SF (10%)
LANDSCAPE AREA PROVIDED	15,643 SF (11.6%)

SITE DATA:

ZONING	COMMERCIAL GENERAL (CG)
FIRST FLOOR BUILDING AREA:	4,853 SF
BUILDING HEIGHT PERMITTED:	40'
TALLEST BUILDING HEIGHT PROPOSED:	26'-0" TOP OF RIDGE

PARKING SPACE REQUIREMENT:

OFFICE / RATIO PER USE:	1/350
NUMBER OF SPACES REQUIRED:	14
NUMBER OF EXISTING SPACES PROVIDED:	26 (PLUS SHARED PARKING DEVELOPMENT)

ACCESSIBLE SPACES REQUIRED:	1 VAN / 1 STANDARD
ACCESSIBLE SPACES PROVIDED:	2 (ALL CLASSIFY AS VAN)

IMPERVIOUS AREA:

TOTAL SITE AREA (LOT 11)	134,587 SF (3.09 AC)
--------------------------	----------------------

IMPERVIOUS AREA:	114,716 SF (2.63 AC)
PERVIOUS AREA:	19,871 SF (0.46 AC)

SETBACKS:

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

LEGAL DESCRIPTION:

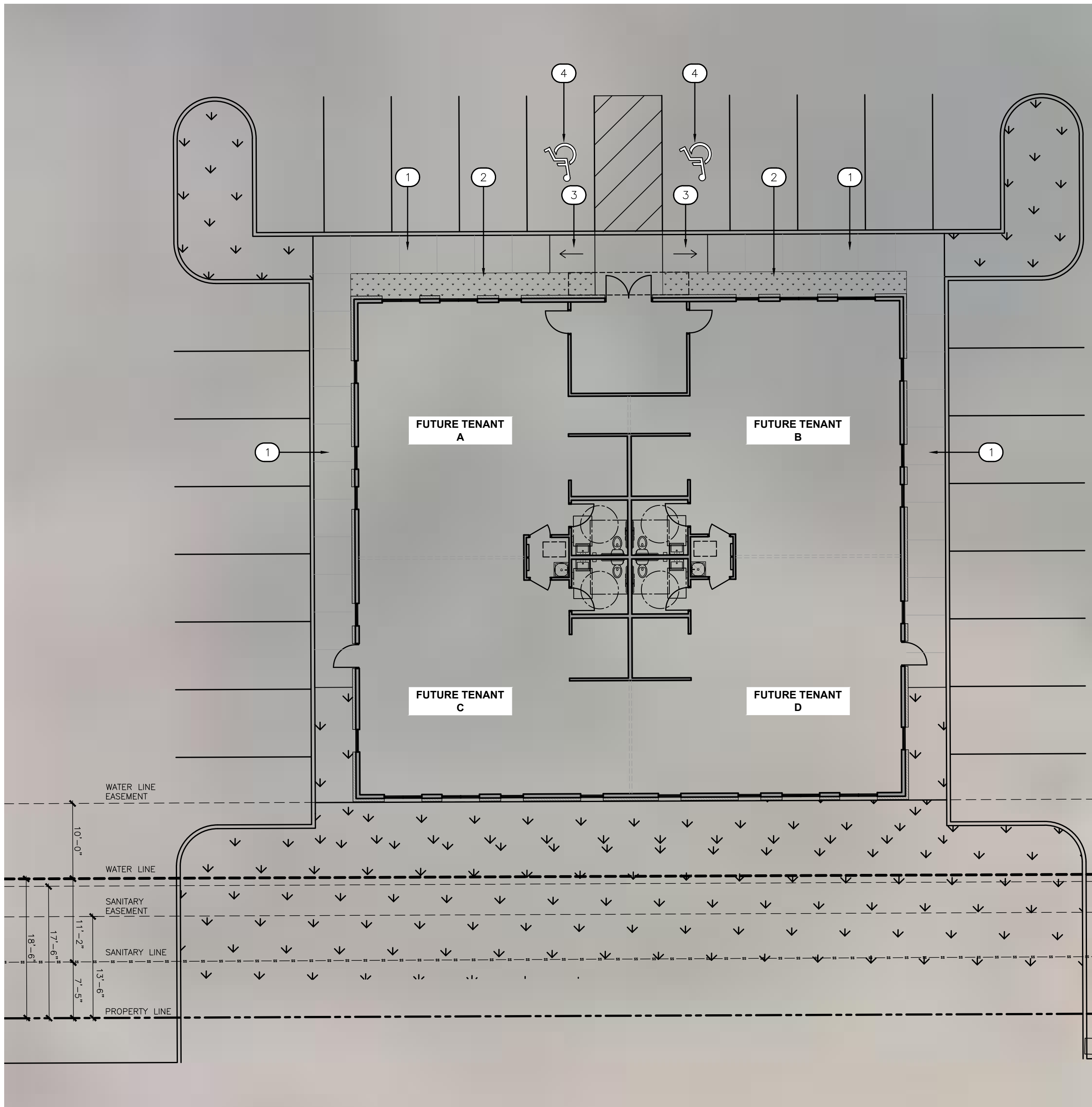
LOT ONE (1), BLOCK ONE (1), QUAIL CREEK COMMONS, A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA RECORDED AS PLAT #6819

EXTERIOR LIGHTING:

NO POLE LIGHTS PROVIDED.

SITE PLAN LEGEND

	EXISTING LANDSCAPED AREA (GRASS)
	NEW LANDSCAPED PLANTER BED; RE: CIVIL LANDSCAPE PLAN, SHEET C111
	NEW PAINTED ACCESSIBLE TRAVEL PATH STRIPING



2 ENLARGED SITE PLAN

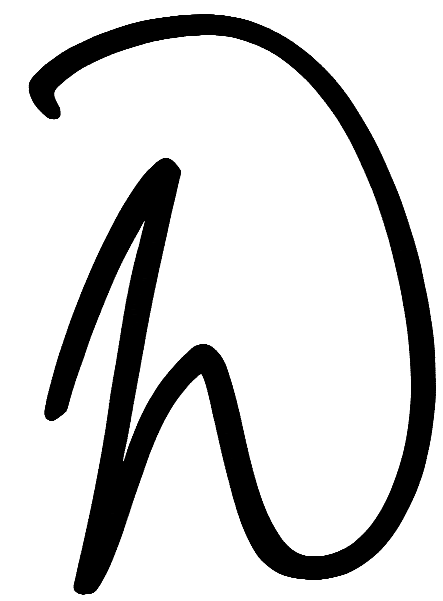
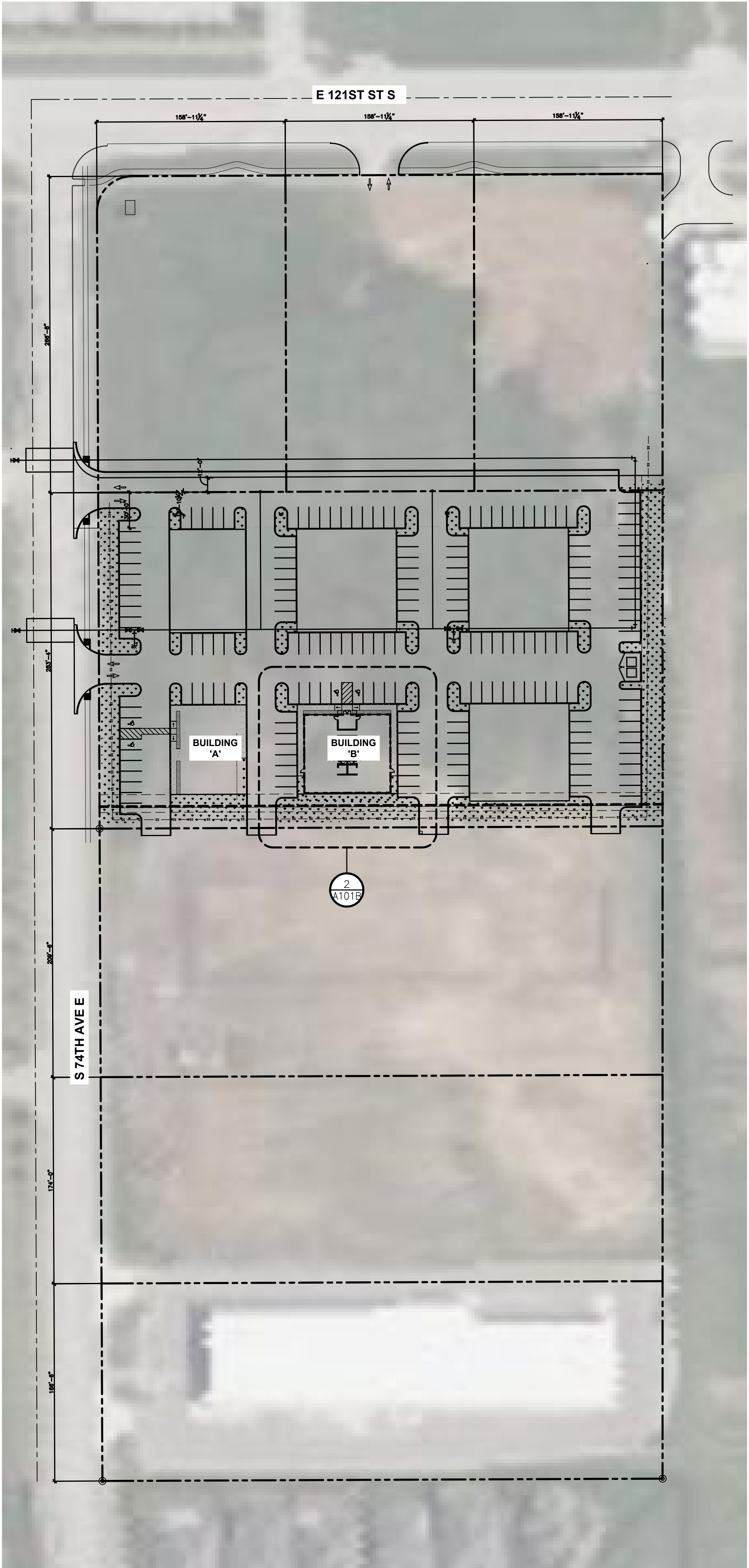
SCALE: 0 20'-0" 40'-0"
SCALE: 3/32"=1'-0"



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

1 OVERALL SITE PLAN

SCALE: 0 70'-0" 140'-0"
SCALE: 1/64"=1'-0"



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PROJECT:

QUAIL CREEK
COMMONS
BUILDING B

PROJECT #
18133

E. 121ST STREET S.
BIXBY, OK
74011

CONSULTANT:

REVISIONS:

ISSUE DATE:

12.05.2023

SHEET NAME:
ARCHITECTURAL
SITE PLAN
BUILDING B

SHEET #:

A101B

GENERAL NOTES

- ALL DIMENSIONS ARE TO CENTERLINE OF OBJECT, EXCEPT FOR THE PERIMETER STUDS WHICH ARE DIMENSIONED TO EDGE OF SLAB. MASONRY OPENINGS WHICH ARE FROM FACE OF BRICK, AND AREAS WHERE SHOWN CLEAR DIMENSION IS REQUIRED; U.N.O.
- ALL DOORS SHALL BE SET 4" OFF WALL, OR 6" FROM WALL WITH A DOOR CLOSER, MEASURED FROM THE HINGE SIDE OF INTERIOR DOORS, UNLESS NOTED OTHERWISE.
- COORDINATE ELECTRICAL AND LIGHTING LOCATIONS WITH CONTRACTOR PRIOR TO INSTALLATION.
- PROVIDE EVENLY SPACED VERTICAL CONTROL JOINTS NOT TO EXCEED 30'-0" HORIZONTAL DISTANCE BETWEEN SUCH JOINTS ON ALL GYPSUM BOARD AND STUCCO WALLS, OR AS SPECIFIED BY THE MANUFACTURER.
- NOTIFY ARCHITECT IMMEDIATELY IF DIFFERENT CONDITIONS EXIST FROM WHAT IS DESCRIBED.
- ALL EXIT DOORS SHALL BE OPERATIVE FROM THE INSIDE WITHOUT THE USE OF A KEY, OR ANY SPECIAL KNOWLEDGE, OR EFFORT.
- DOOR HARDWARE SHALL MEET REQUIREMENTS OF IBC 2015 SECTION 1010.1.9.1 - DOOR HANDLES, PULLS, LATCHES, LOCKS AND OTHER OPERATING DEVICES ON DOORS REQUIRED TO BE ACCESSIBLE BY CHAPTER 11 SHALL NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING, OR TWISTING OF THE WRIST TO OPERATE.
- PROVIDE WATER COOLER WITH DISPOSABLE CUPS.
- COORDINATE UNDERGROUND PLUMBING LOCATIONS BEFORE POURING CONCRETE FLOOR SLAB, RE: PLUMBING DRAWINGS
- PROPERLY INSTALL APPROVED PORTABLE FIRE EXTINGUISHERS WITHIN 50 FOOT WALKING DISTANCE FROM EVERY POINT. COORDINATE LOCATIONS WITH LOCAL AUTHORITIES HAVING JURISDICTION.
- PROVIDE EVENLY SPACED VERTICAL CONTROL JOINTS NOT TO EXCEED 30'-0" HORIZONTAL DISTANCE BETWEEN SUCH JOINTS ON ALL GYPSUM BOARD WALLS OR AS SPECIFIED IN MANUFACTURER'S GUIDELINES.
- GENERAL CONTRACTOR SHALL VISIT SITE AND BECOME FAMILIAR WITH EXTENT OF BUILDING PRIOR TO START OF WORK.
- NOTIFY ARCHITECT IMMEDIATELY IF DIFFERENT CONDITIONS EXIST FROM WHAT IS DESCRIBED.
- CONTRACTOR SHALL PROVIDE EMERGENCY EGRESS LIGHTING AS REQUIRED TO MAINTAIN AVERAGE ILLUMINATION LEVEL OF 1 FOOT CANDLE AT FLOOR LEVEL THROUGHOUT PATH OF EGRESS.
- FLOOR LANDING TO BE SAME ELEVATION ON EACH SIDE OF DOOR. LANDINGS SHALL BE LEVEL EXCEPT FOR EXTERIOR LANDINGS WHICH SHALL HAVE A MAX OF 2% SLOPE. ALL EXTERIOR LANDINGS TO HAVE A MAX OF 2% SLOPE.

REFERENCING

- A. RE: A001 FOR GENERAL NOTES, DIRECTIVES, SYMBOLS AND ABBREVIATIONS
B. RE: A500 SERIES DRAWINGS FOR REFLECTED CEILING PLANS AND CEILING DETAILS
C. RE: A600 SERIES DRAWINGS FOR ROOF PLAN

KEYNOTES FLOOR PLAN

- NOTE: NOT ALL KEYNOTES MAY BE USED ON THIS SHEET.
- ELECTRICAL PANEL, RE ELEC
 - MOP SINK
 - ELECTRIC WATER HEATER, GC TO COORDINATE TYPE, NUMBER AND FINAL LOCATION, RE: ELEC
 - BRICK VENEER WAINSCOT, RE: ELEVATIONS
 - STONE VENEER, RE: ELEVATIONS
 - KNOX BOX AT 6' A.F.F.
 - HOSE BIB, GC TO COORDINATE FINAL LOCATION
 - ATTIC ACCESS LADDER
 - WATER COOLER WITH DISPOSABLE CUPS TO BE LOCATED BETWEEN 36" AND 40" A.F.F. FINAL LOCATION PROVIDED BY OWNER
 - DASHED LINE INDICATES FUTURE CONSTRUCTION

KEYNOTES TOILET ACCESSORIES AND KEYNOTES

- NOTE: NOT ALL KEYNOTES MAY BE USED ON THIS SHEET.
- TOILET PAPER DISPENSER, JUMBO ROLL
 - SANITARY NAPKIN DISPOSAL, SINGLE COMPARTMENT
 - GRAB BAR - 36", RE: 1/A001 FOR MT. HT (ADA REQ.)
 - GRAB BAR - 42", RE: 1/A001 FOR MT. HT (ADA REQ.)
 - GRAB BAR - 18" VERT., RE: 1/A001 FOR MT. HT (ADA REQ.)
 - MIRROR, TEMPERED GLASS
 - PAPER TOWEL DISPENSER
 - WALL MOUNTED SOAP DISPENSER
 - 30"x48" CLEAR SPACE (ADA REQUIREMENT)
 - 5'-0" TURN RADIUS (ADA REQUIREMENT)
 - FLOOR DRAIN TO SANITARY SEWER
 - PLUMBING FIXTURE, RE: PLUMBING
 - RESTROOM SIGNAGE, RE: 1/a002 FOR MT. HT.

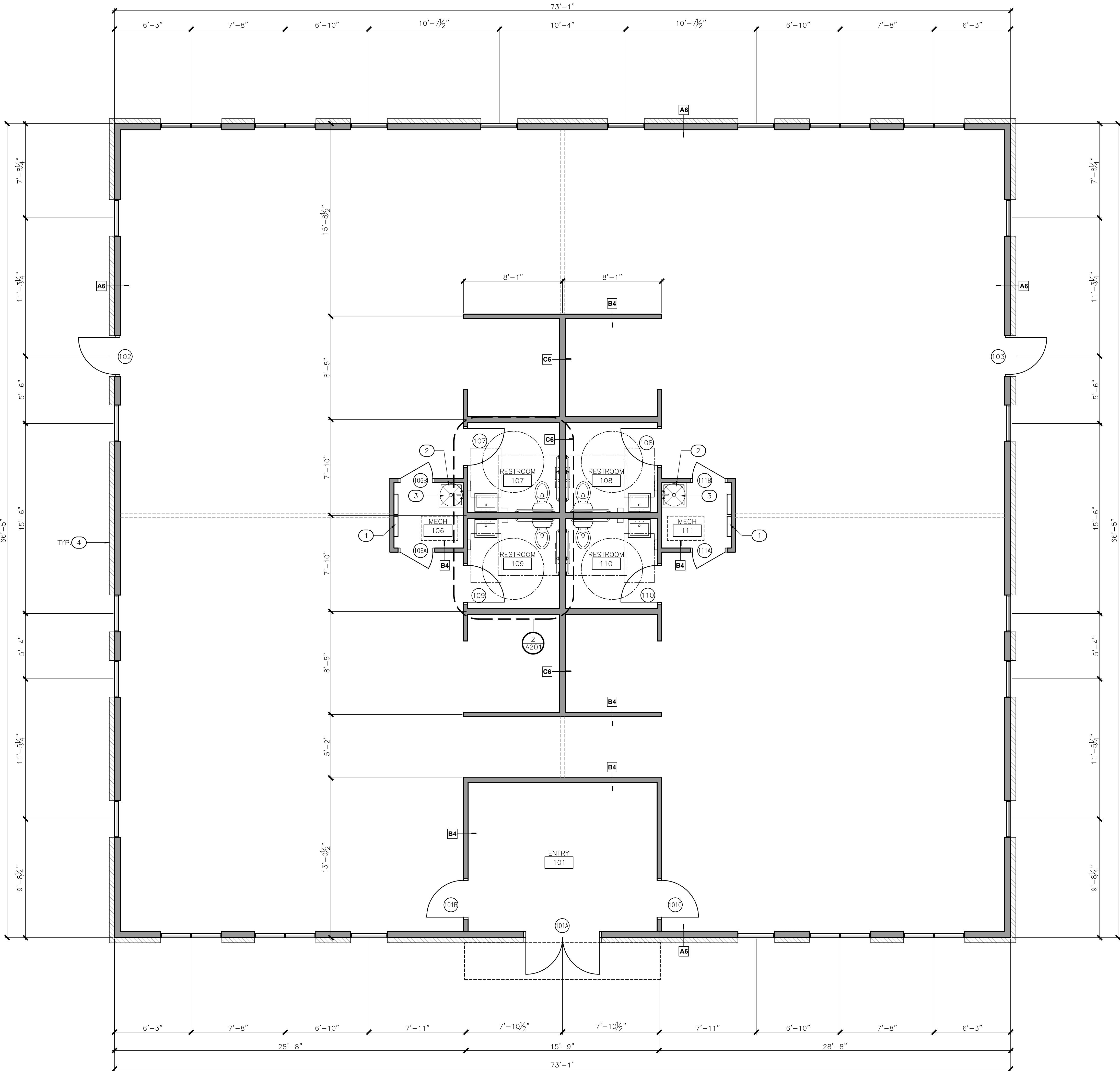
LEGEND

SYMBOL	DESCRIPTION
	NEW WALL - WOOD STUD
	EXTENTS OF EXTERIOR VENEER
LETTER INDICATES WALL TYPE REF PLANS NUMBER INDICATES STUD SIZE AS FOLLOWS: 4 - 2x4 WOOD 6 - 2x6 WOOD	

WALL ASSEMBLIES

WALL TYPE	UL DESIGN #	NOTES
A		WOOD STUDS AT 16" O.C. EXTERIOR WALL WITH 5/8" GYP. ON INSIDE FACE AND 5/8" EXTERIOR SHEATHING ON EXTERIOR FACE, REF. EXTERIOR WALL SECTIONS
B		WOOD STUDS AT 16" O.C. INTERIOR WALL WITH 5/8" GYP. ON BOTH SIDES. PROVIDE MOISTURE RESISTANT GYP. AT ALL WET LOCATIONS
C		WOOD STUDS AT 16" O.C. INTERIOR WALL WITH 5/8" ON INSIDE FACE. PROVIDE MOISTURE RESISTANT GYP. AT ALL WET LOCATIONS. (PLUMBING WALL)

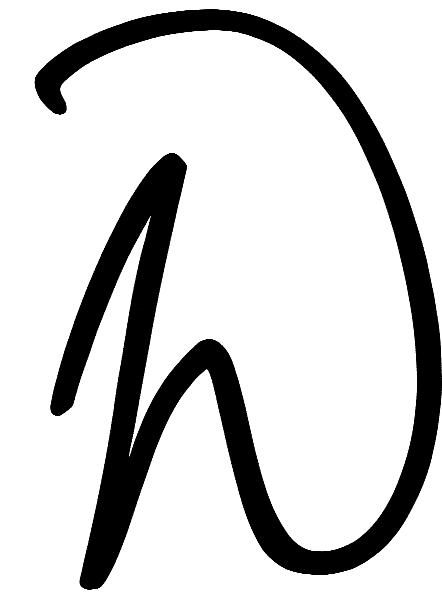
NOTE: TYPICAL STUD SPACING IS 16" O.C.



1 BUILDING B OVERALL FLOOR PLAN

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

4,451 SF TOTAL



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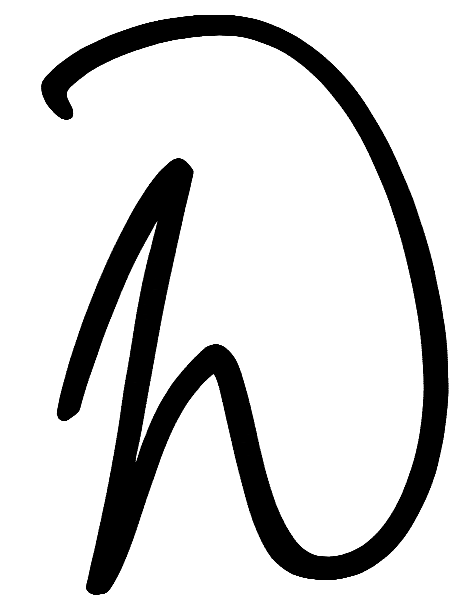
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SHEET NAME:

FLOOR PLAN
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SHEET #:

A201B



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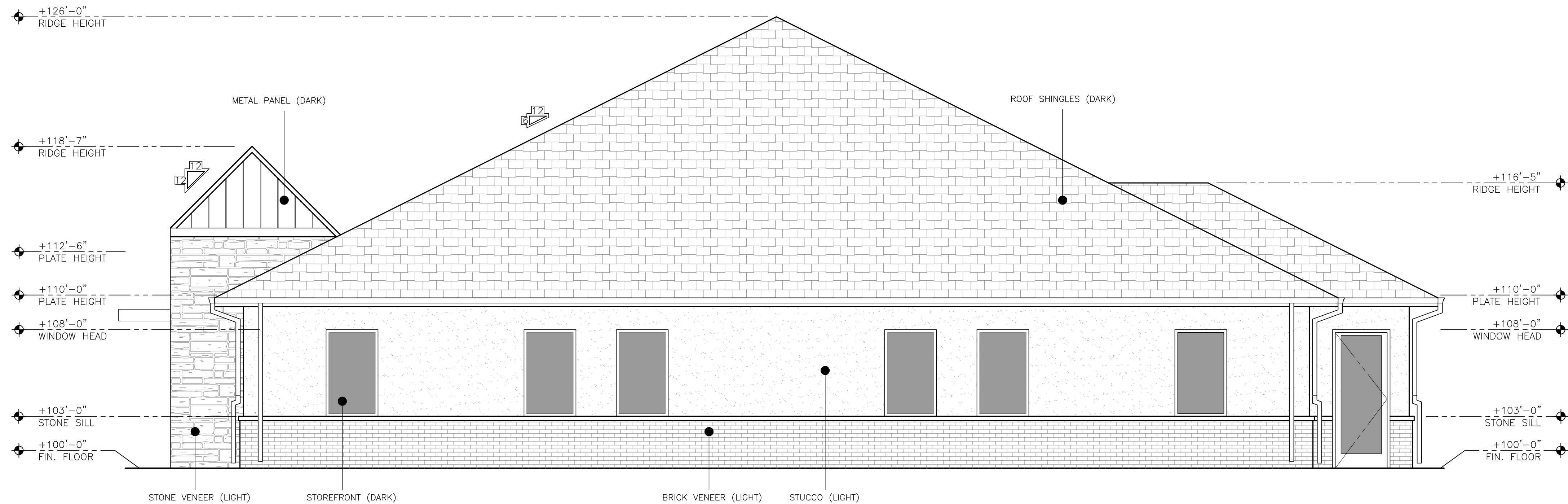
ISSUE DATE:

12.05.2023

SHEET NAME:
EXTERIOR
ELEVATIONS
BUILDING B

SHEET #:

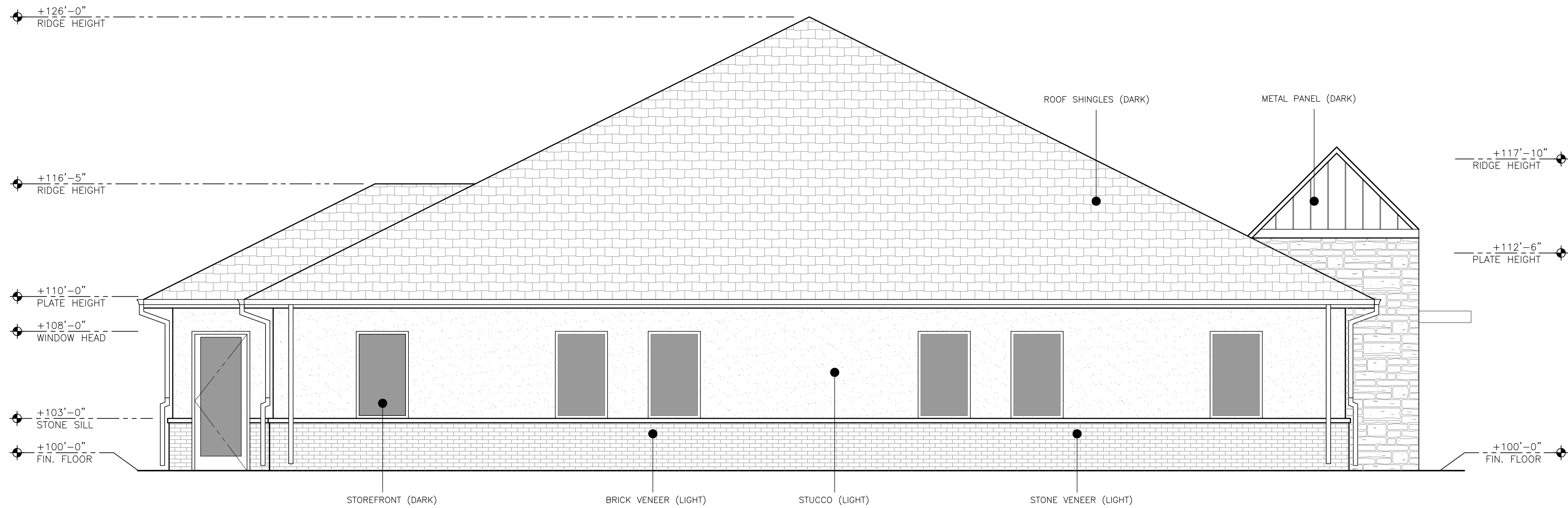
A301B



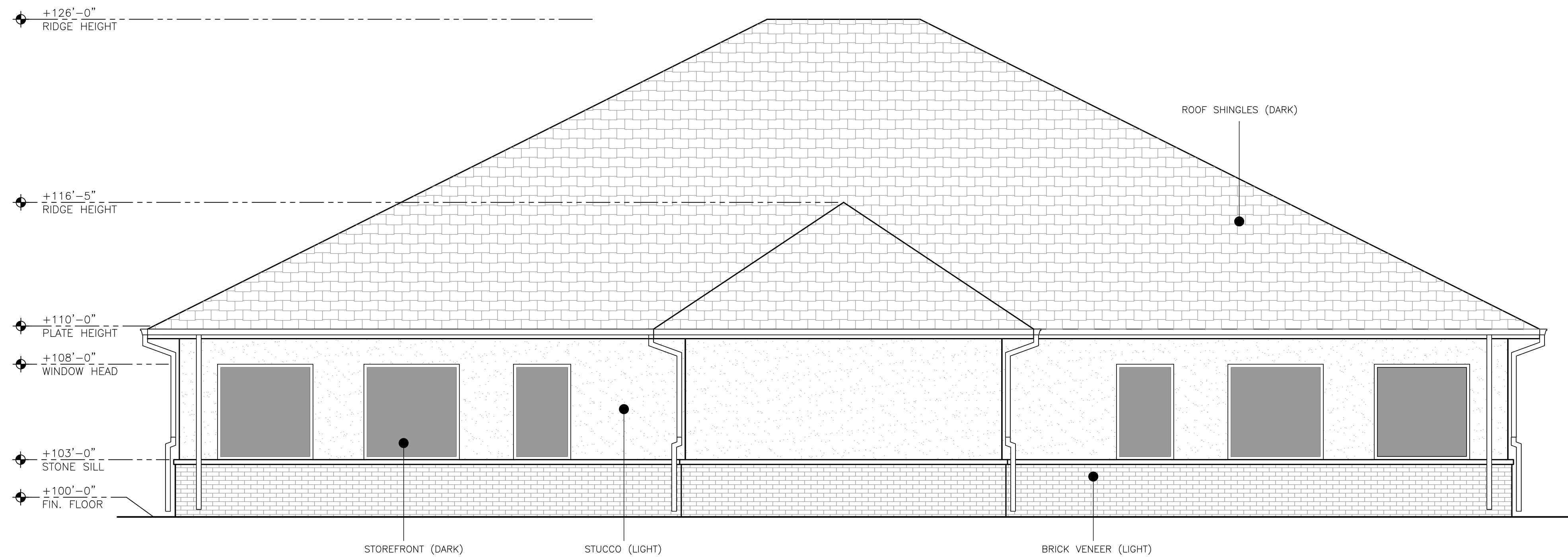
2 WEST ELEVATION
SCALE: 1/4" = 1'-0"



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



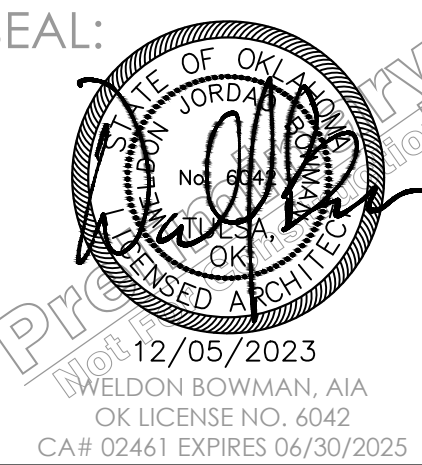
2 EAST ELEVATION
SCALE: 1/4" = 1'-0"



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



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CONSULTANT:

REVISIONS:

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SHEET NAME:
**EXTERIOR
ELEVATIONS
BUILDING B**

SHEET #:

A302B