



City of Bixby Planning Commission Meeting Agenda

**Vice Chair Jason Mohler
Commissioner Tom Holland
Commissioner Josh Nave
Commissioner Lance Whisman**

Monday, December 16, 2024

6:00 PM

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

Call to Order

Chairman

Roll Call

Secretary

Consent Agenda

- 1) Consider and Approve the Planning Commission Meeting Minutes from November 18, 2024.

Public Hearing

- 1) Discussion, consideration and administer the Oath of Office to Scott Williams for the Bixby Planning Commission (appointed by Vice Mayor Robert Founds).
- 2) Discussion, consideration, and possible vote for approval of revised Site Plan (BXSP-24.14); Courts & Commons.
- 3) Discussion, consideration, and possible vote for approval of Preliminary Plat (BXPT-24.12); Reserve at Pecan Creek.
- 4) Discussion, consideration, and possible vote for approval of Planned Unit Development Major Amendment No. 2 (BXPUD-21.11 MA.02); Ellis Ranch.
- 5) Discussion, consideration, and possible vote for approval of Planned Unit Development Major Amendment No. 2 (BXPUD-21.01 MA.02); Deer Valley.
- 6) Discussion, consideration, and possible vote for approval of Preliminary Plat (BXPT-24.13); Deer Valley.

- 7) Discussion, consideration, and possible vote for approval of Comprehensive Plan Amendment (BXCP-24.04); Bixby Meadows II.
- 8) Discussion, consideration, and possible vote for approval of Rezone (BXZO-24.07); Bixby Meadows II.
- 9) Discussion, consideration, and possible vote for approval of Planned Unit Development (BXPUD-24.08); Bixby Meadows II.

Old Business

New Business

Adjournment

Notice of Posting

This Notice and Agenda was posted on the bulletin board on this day of December 13, 2024, on or before 6:00 p.m., at City Hall, 116 W. Needles Ave., Bixby, Oklahoma.

Respectfully Submitted

Gladys Gill
Assistant Planner I

For Special Accommodations

Individuals requiring special accommodations to participate in this meeting must contact Shannon Duran, City Clerk, at 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430 or via Email: SDuran@bixbyok.gov at least 48 hours before the meeting. TDD users must contact Oklahoma Relay at 1-800-722-0353, and voice calls should be made to 1-800-522-8506 to facilitate communication between hearing telephone users and TDD users.

Please Note: All cell phones and pagers must be turned off or operated silently during all meetings.

21 O.S. Section 280 provides the following: A. It is unlawful for any person, alone or in concert with others and without authorization, to willfully disturb, interfere or disrupt state business, agency operations or any employee, agent, official or representative of the state. B. It is unlawful for any person who is without authority or who is causing any disturbance, interference or disruption to willfully refuse to disperse or leave any property, building or structure owned, leased or occupied by state officials, employees, agents or representatives or used in any manner to conduct state business or operations after proper notice by a peace officer, sergeant-at-arms, or other security personnel. C. Any violation of the provisions of this section shall be a misdemeanor punishable by imprisonment in the county jail for a term Oklahoma Statutes - Title 21. Crimes and Punishments Page 94 of not more than one (1) year, by a fine not exceeding One

Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. D. For purposes of this section, “disturb, interfere or disrupt” means any conduct that is violent, threatening, abusive, obscene, or that jeopardizes the safety of self or others.

Planning Commission Meeting Minutes

Bixby Municipal Building
116 W. Needles Ave., Bixby, OK 74008
November 18, 2024 at 6:00 PM

Call to Order

Chairman Steve Hobbs called the Planning Commission meeting to order at 6:04 p.m.

Roll Call

Secretary Gladys Gill called the roll and the following were present:

Members Present

Steve Hobbs, Chairman
Jason Mohler, Vice Chair
Josh Nave, Commissioner
Tom Holland, Commissioner
Lance Whisman, Commissioner

Staff Present

Joey Wiedel, Interim City Manager
Gladys Gill, Secretary/Assistant Planner I

Consent Agenda

1. Consider and Approve the Planning Commission Meeting Minutes from September 16, 2024.

Chair Hobbs called for a motion to approve the minutes from the meeting on September 16, 2024. Commissioner Whisman made the motion, which was seconded by Vice Chair Mohler. The vote results were as follows:

Motion carried: 3-0-2
Ayes: Whisman, Mohler, Holland
Nays: 0
Abstained: Nave, Hobbs

2. Consider and Approve the Planning Commission Meeting Minutes from October 21, 2024.

Chair Hobbs called for a motion to approve the minutes from the meeting on October 21, 2024. Commissioner Nave made the motion, which was seconded by Vice Chair Mohler. The vote results were as follows:

Motion carried: 3-0-2
Ayes: Nave, Mohler, Hobbs

Nays: 0

Abstained: Holland, Whisman

Public Hearing

1. Discussion, consideration, and possible vote for approval of Final Plat BXPT-24.09; Presley Heights West Blocks 4-7.

Gladys Gill provided an overview of the project and noted that the applicant was present to address any questions. The applicant spoke briefly, stating their commitment to working with staff to ensure the enforcement of the plat. Commissioner Nave inquired whether the Final Plat complied with all applicable requirements. Staff confirmed that it did.

Following the discussion, Chairman Hobbs called for a motion to approve the Final Plat (B.X.P.T. 24.09). Commissioner Nave moved to approve the Final Plat, with Chairman Hobbs seconding the motion. The vote proceeded as follows:

Ayes: Nave, Hobbs, Whisman, Holland, Mohler

Nays: None

Motion Carried: 5-0

2. Discussion, consideration, and possible vote for approval of Preliminary Plat BXPT-24.10; Indigo Ranch, formerly known as Froning 121.

Gladys Gill gave an overview of the project and stated that the applicant was available to answer any related questions.

Chairman Hobbs asked for a motion to approve Preliminary Plat (B.X.P.T. 24.10). Commissioner Whisman made a motion to approve, seconded by Vice Chair Mohler. The vote was taken with the following results:

Ayes: Whisman, Mohler, Nave, Holland

Nays: 0

Abstained: Hobbs

Motion Carried: 4-0-1

3. Discussion, consideration, and possible vote for approval of Preliminary Plat BXPT-24.11; Pecan Meadows.

Gladys Gill provided an overview of the project, outlining key details and updates. She noted that the applicant was present and available to address any questions from the commissioners or the public. Discussion ensued.

Resident Jerry Ezel expressed his opposition to the proposed development, citing concerns about its potential impact.

Following the discussion, Chairman Hobbs called for a motion to approve the Preliminary Plat (B.X.P.T. 24.11). Commissioner Whisman moved to approve the plat, with Vice Chair Mohler seconding the motion. The vote was recorded as follows:

Ayes: Whisman, Mohler, Holland, Hobbs
Nays: Nave
Motion Carried: 4-1

Old Business

New Business

Adjournment

An adjournment was called at 7:13 pm

Chair or Vice Chair

Secretary



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

Staff Report

To: Planning Commission

From: Joey Wiedel, Interim City Manager
Gladys Gill, Assistant Planner

Date: Monday, December 16, 2024

Name: Courts and Commons

RE: Site Plan (BXSP-24.14) COURTS AND COMMONS. A part of
Development Area C-1 of the Village of Scereno BXPUD 17.04

Location: 7921 E 119th Drive, Bixby, Oklahoma
DEVELOPMENT AREA "C-1"

STR: Section 35, Township 18N, Range 13E

Applicant: Josh Juarez, RJ Ventures

Request:

In compliance with the requirements of the Planned Unit Development (PUD) guidelines, the applicant requests approval of the revised Site Plan and elevations for Courts and Commons, Development Area C-1.

Background and Project History:

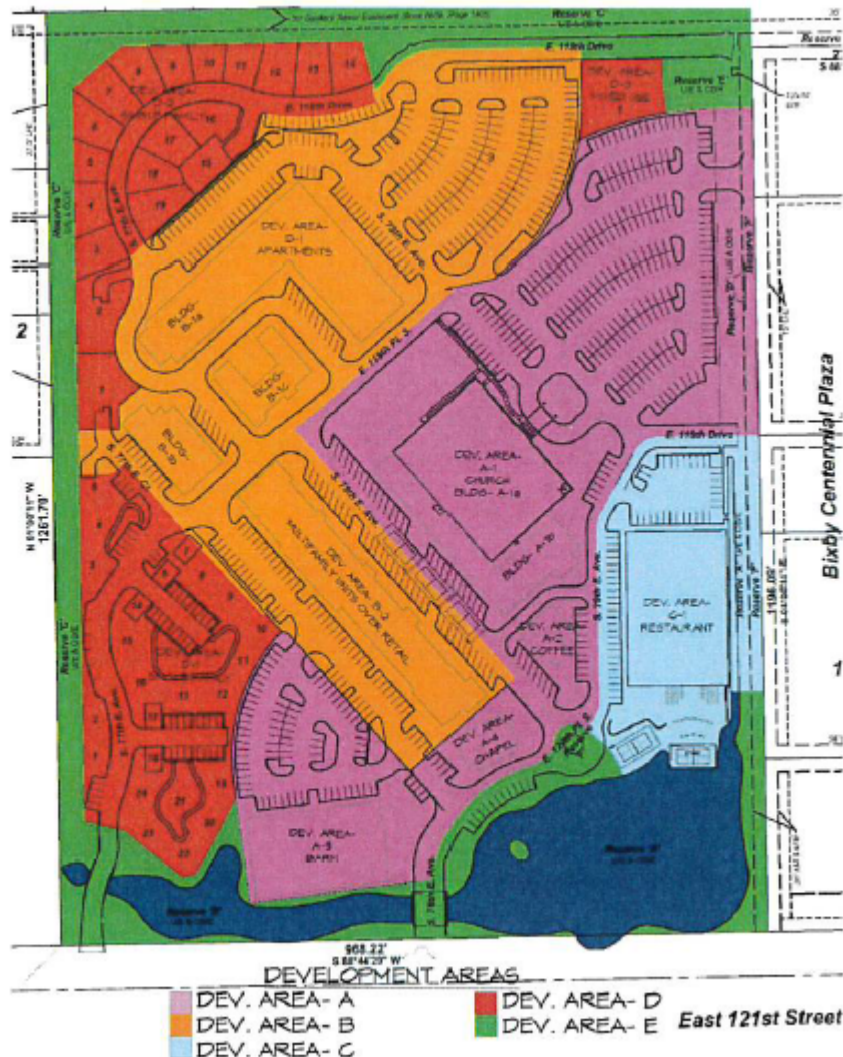
Site Plan review is required by BXPUD 17.04 to go before the Planning Commission and City Council for approval.

Excerpt from PUD BXPUD 17.04, Section H: Detailed Site Plan Review states:

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

The original approved Site Plan and Elevations for Courts & Commons included stucco on all four sides of the building. This review addresses the inconsistency between the original approval, PUD requirements and what was constructed. The east elevation is currently metal.

Figure 1: Future Development Areas



Proposed Changes: The applicant plans to enhance the landscaping with evergreen pines and to install building signage featuring decorative metal paneling.

Public Comments: Site Plans are not subject to publication. No comments were received on the site plan at the time of the staff report.

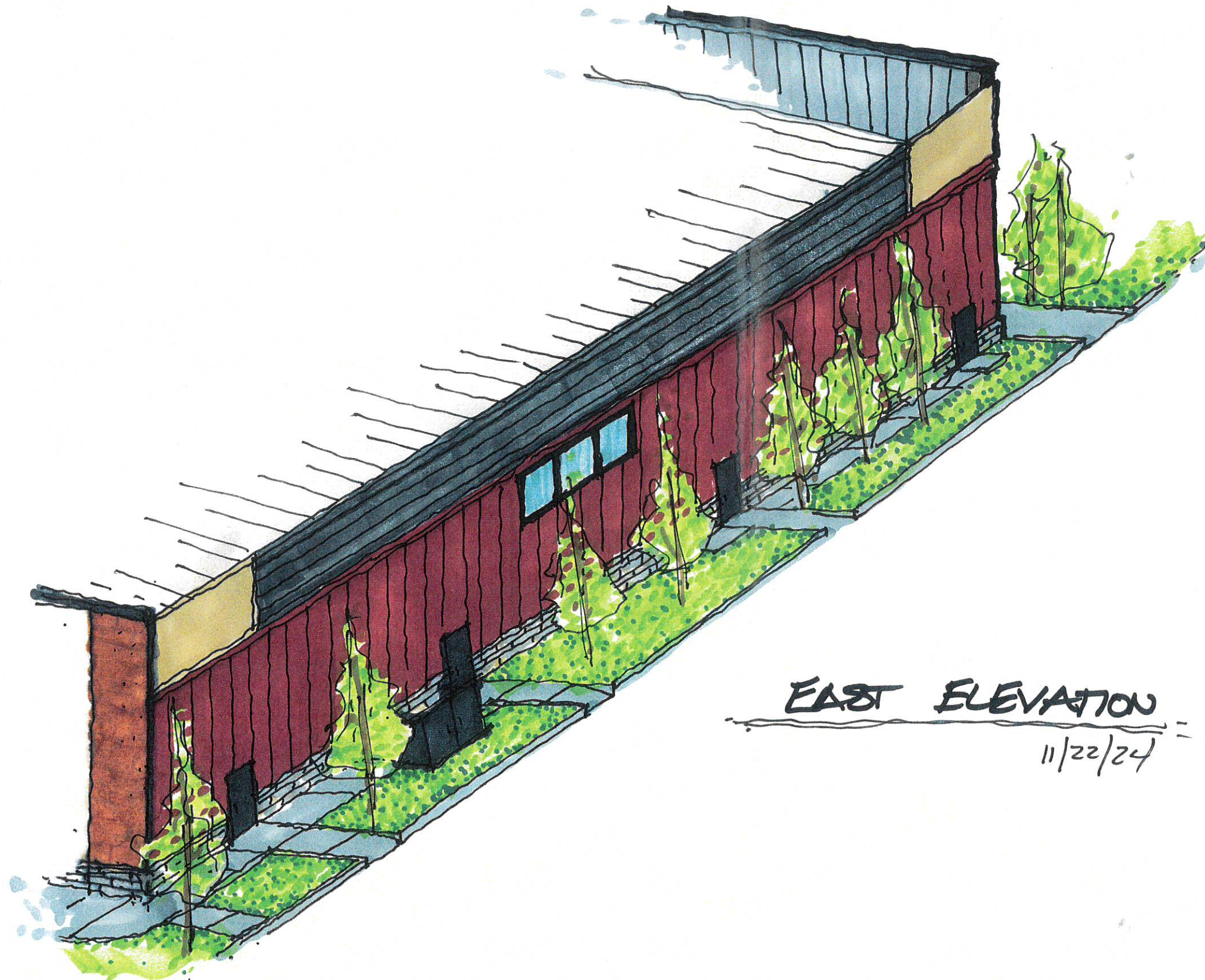
Engineer Comments: No comments.

Staff Comments: Approval of the revised Site Plan and Elevations for Courts & Commons should be subject to the following conditions:

1. All construction shall adhere to the approved revised Site Plan and Elevations.
2. A temporary Certificate of Occupancy can be issued if all other Life Safety inspections are passed.
3. Any future amendments to the Site Plan must receive prior approval from the Planning Commission and City Council.

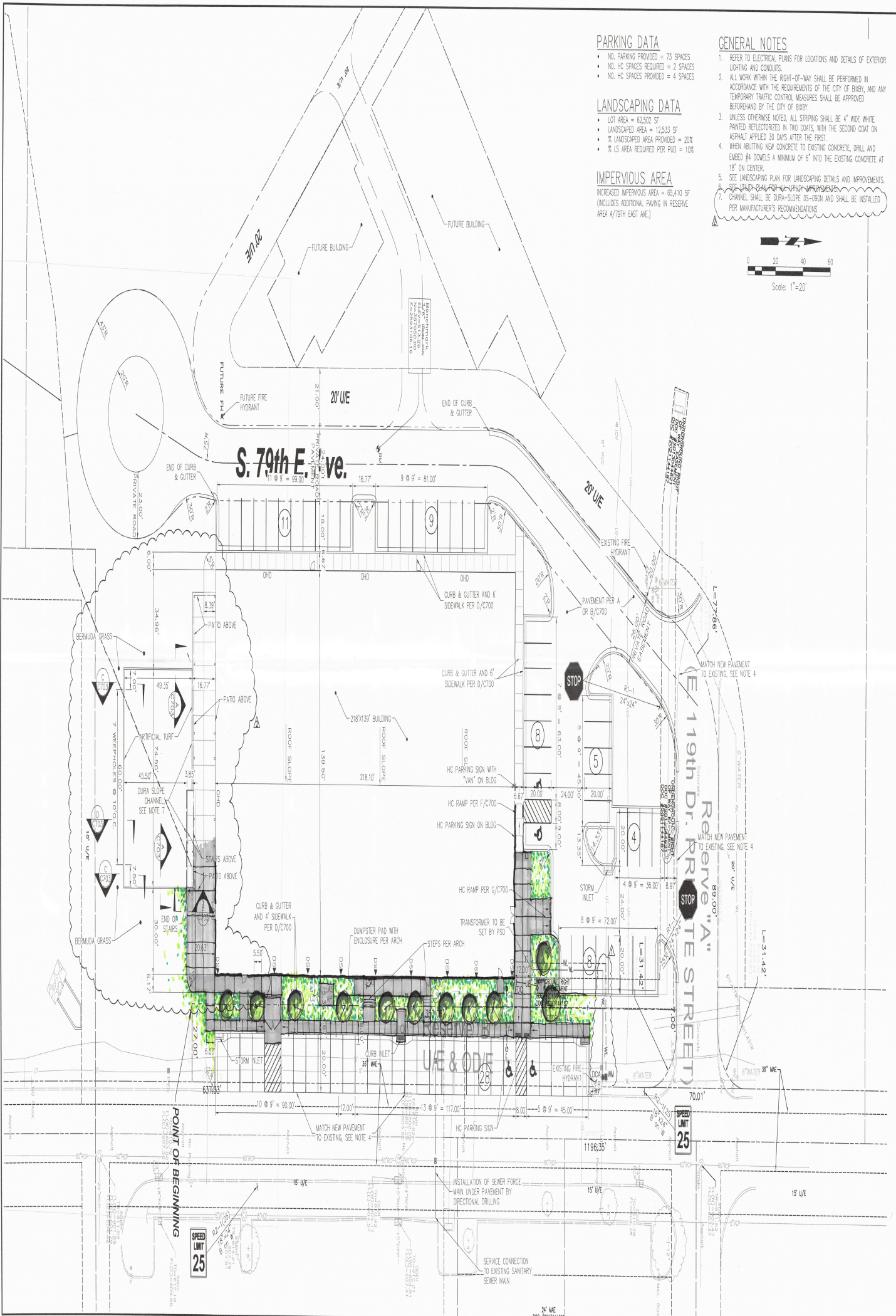
Figures: Figure 1: Future Development Areas

Attachments: Exhibit A: East Elevations
Exhibit B: Site Plan for Courts and Commons



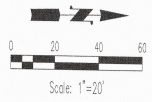
EAST ELEVATION

11/22/24



- PARKING DATA**
- NO. PARKING PROVIDED = 73 SPACES
 - NO. HC SPACES REQUIRED = 2 SPACES
 - NO. HC SPACES PROVIDED = 4 SPACES
- LANDSCAPING DATA**
- LOT AREA = 82,502 SF
 - LANDSCAPED AREA = 12,533 SF
 - % LANDSCAPED AREA PROVIDED = 20%
 - % LS AREA REQUIRED PER PUD = 10%
- IMPERVIOUS AREA**
- INCREASED IMPERVIOUS AREA = 65,410 SF
(INCLUDES ADDITIONAL PAVING IN RESERVE AREA A/79TH EAST AVE.)

- GENERAL NOTES**
1. REFER TO ELECTRICAL PLANS FOR LOCATIONS AND DETAILS OF EXTERIOR LIGHTING AND CONDUITS.
 2. ALL WORK WITHIN THE RIGHT-OF-WAY SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF BIXBY, AND ANY TEMPORARY TRAFFIC CONTROL MEASURES SHALL BE APPROVED BEFOREHAND BY THE CITY OF BIXBY.
 3. UNLESS OTHERWISE NOTED, ALL STRIPING SHALL BE 4" WIDE WHITE PAINTED REFLECTORIZED IN TWO COATS, WITH THE SECOND COAT ON ASPHALT APPLIED 30 DAYS AFTER THE FIRST.
 4. WHEN ABUTTING NEW CONCRETE TO EXISTING CONCRETE, DRILL AND EMBED #4 DOWELS A MINIMUM OF 6" INTO THE EXISTING CONCRETE AT 18" ON CENTER.
 5. SEE LANDSCAPING PLAN FOR LANDSCAPING DETAILS AND IMPROVEMENTS.
 6. SEE UTILITY PLAN FOR UTILITY LOCATIONS AND DEPTHS.
 7. CHANNEL SHALL BE DURA-SLOPE DS-600N AND SHALL BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS.



JC Engineering, PC
10035 N. 177th E. Ave. • Owasso, OK 74055-7841
(918)798-5979 • www.jc-engineering.com
Oklahoma CA No. 5686 Expires June 30, 2024

JOE P. JONES
Professional Engineer
No. 21438

NO.	DATE	DESCRIPTION	BY	CHK	DATE	DATE	DATE
1	11-11-24	JK WORTH HAND					

COURTS AND COMMONS
7921 E. 119th Dr.
BIXBY, OK
RAJ AND JOSH VENTURES LLC

SITE PLAN

SHEET TITLE

SHEET NO. **C400**



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

Staff Report

To: Planning Commission

From: Joey Wiedel, Interim City Manager
Gladys Gill, Assistant Planner I

Date: November 18, 2024

Name: Reserve at Pecan Creek

RE: Preliminary Plat BXPT-24.12

Location: 12700 – Block of South Mingo Road

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

Applicant: Tanner Consulting, LLC

Request:

Tanner Consulting, LLC is seeking approval for the Preliminary Plat of Reserve at Pecan Creek.

Site Stats:

Acres: 36.685 +/-	Min. Lot Width: 65 ft	Min. Dwelling Sq. Ft: 1,700
Number of Lots: 114	Number of Blocks: 5	Reserve Areas: 7

Existing Zoning; Use:

Residential Single-Family (RS-2) with PUD BXPUD-24.03; Vacant

Abutting Zoning; Use:

North: (AG) Agriculture, Ski Lake

West: (AG) Agriculture, Fry Ditch, Residential Single Family (RS-2) and Residential Single-Family (RS-4) PUD 57

South: (AG) Agriculture, Residential Single-Family homes

East: (AG) Agriculture, Residential Single-Family (RS-3)
Chisholm Ranch and Heritage Park Estates.

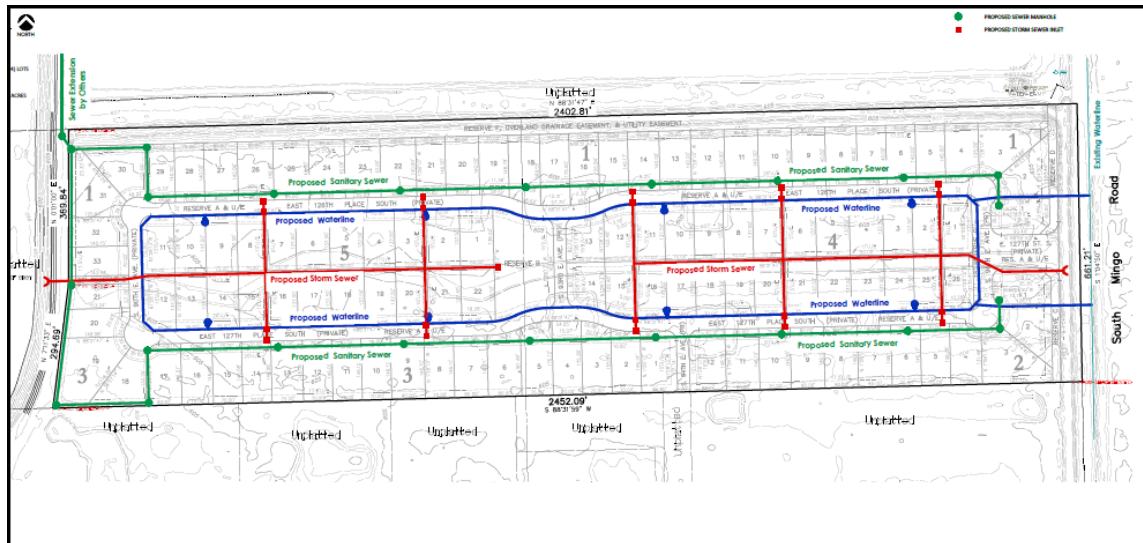
Figure 1: City of Bixby Zoning Map



Utilities/Site Area:

- Water:** A 12" inch waterline is located along the Mingo Rd. frontage. Waterlines shall be looped to provide water service and fire protection. Fire hydrant locations shall be coordinated with and approved by the Bixby Fire Marshal during platting.
- Sanitary Sewer:** Connection to the new public sanitary sewer system will be made during the platting and engineering design and permitting stages.
- Stormwater:** Stormwater lines are shown to be located within the development.

Figure 2: Conceptual Utility Plan



Engineering Review Comments: No comments at the time of writing.

Public Comments: Plats not subject to public advertising, and no public comments were received at the time of writing.

Staff Comments:

Staff has thoroughly reviewed the Preliminary Plat for the proposed development and finds it consistent with the established development patterns of adjacent and surrounding properties. Additionally, the Preliminary Plat aligns with the standards and conditions set forth in the approved Planned Unit Development (BXPUD-24.03), supporting the intended design and land use objectives of the project.

- Figures:** Figure 1: City of Bixby Zoning Map
Figure 2: Conceptual Utility Plan

- Attachments:** Exhibit A: Preliminary Plat by Tanner Consulting, LLC
Exhibit B: Deed of Dedication and Restrictive Covenants
Exhibit C: Conceptual Utility Plan

Preliminary Plat

BXPUD 24.03

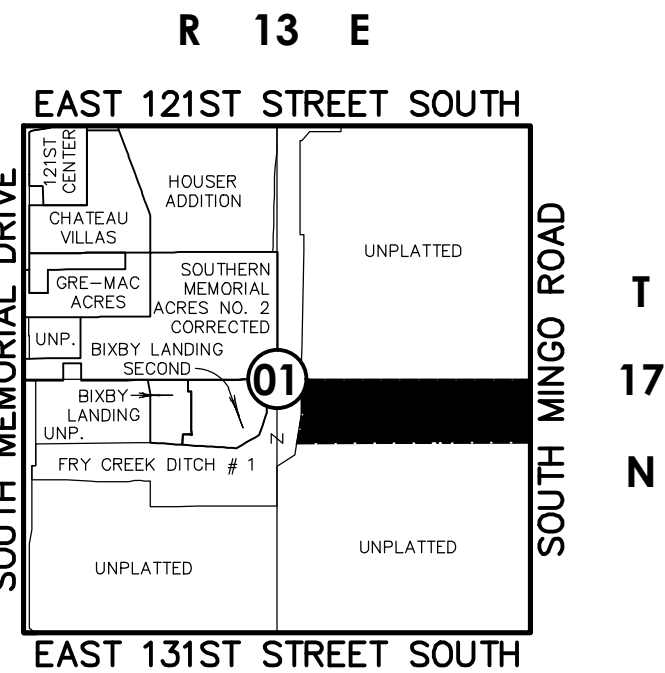
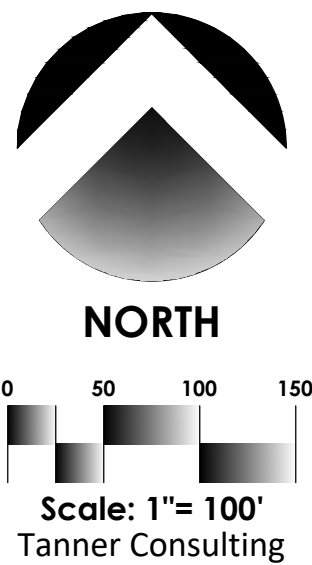
OWNER:
Spartan South Development Group, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY
CONTACT: JULIUS PUMA
EMAIL: PUMA74011@YAHOO.COM
10618 South Winston Court
Tulsa, Oklahoma 74137
Phone: (918) 298-6700

Reserve at
Pecan Creek

PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N/2 SE/4) OF SECTION ONE (1),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

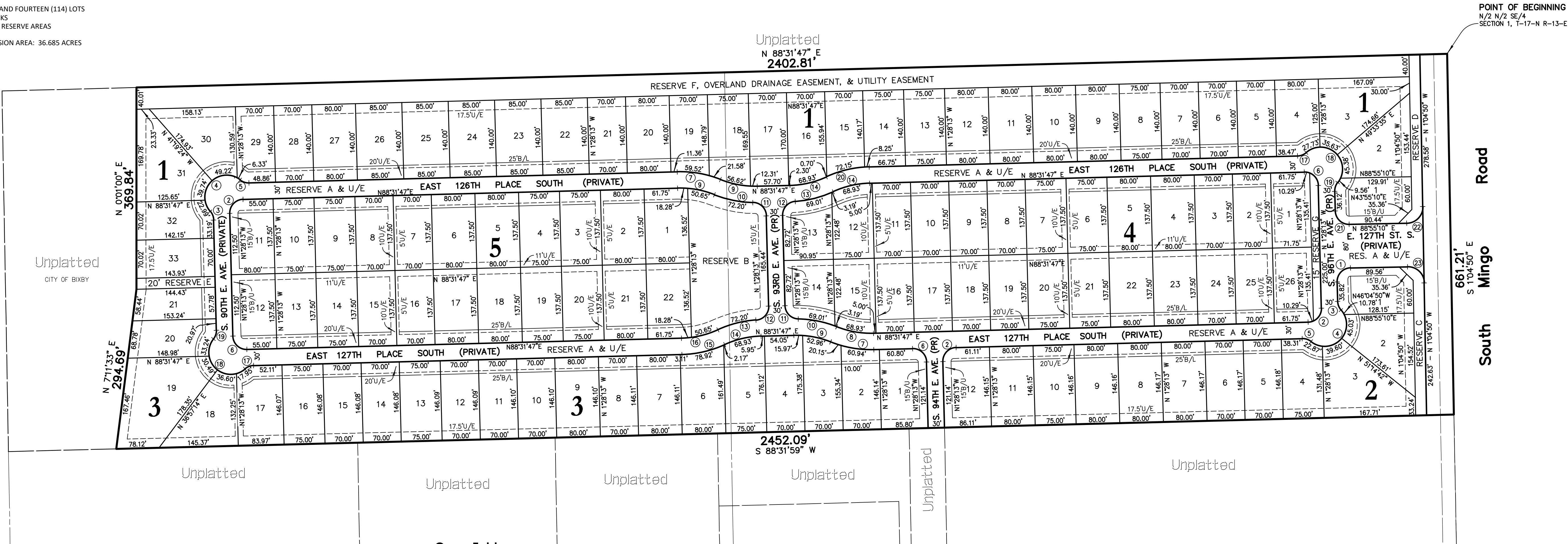
SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2025
EMAIL: DAN@TANNERBAITSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

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



Location Map
Scale: 1"= 2000'

SUBDIVISION CONTAINS:
ONE HUNDRED AND FOURTEEN (114) LOTS
IN FIVE (5) BLOCKS
WITH SEVEN (7) RESERVE AREAS
GROSS SUBDIVISION AREA: 36.685 ACRES



Curve Table					
CURVE	LENGTH(L)	RADIUS(R)	DELTA(Δ)	CHORDBRG(CB)	CHORDDIS(CD)
1	39.44'	25.00'	90°23'23"	N43°43'28"E	35.48'
2	39.27'	25.00'	90°00'00"	N43°31'47"E	35.36'
3	17.33'	25.00'	39°42'54"	N21°19'40"W	16.98'
4	118.28'	40.00'	169°25'49"	N43°31'47"E	79.66'
5	17.33'	25.00'	39°42'54"	N71°36'46"W	16.98'
6	39.27'	25.00'	90°00'00"	N46°28'13"W	35.36'
7	81.09'	200.00'	23°13'53"	N79°51'16"W	80.54'
8	68.93'	170.00'	23°13'54"	N79°51'17"W	68.46'
9	68.93'	170.00'	23°13'53"	N79°51'16"W	68.46'
10	72.20'	200.00'	20°41'03"	N78°34'51"W	71.81'
11	38.16'	25.00'	87°27'10"	N45°11'48"W	34.56'
12	38.16'	25.00'	87°27'10"	N42°15'22"E	34.56'
13	72.20'	200.00'	20°41'03"	N75°38'25"E	71.81'
14	68.93'	170.00'	23°13'53"	N76°54'50"E	68.46'
15	81.09'	200.00'	23°13'54"	N76°54'51"E	80.54'
16	68.93'	170.00'	23°13'54"	N76°54'51"E	68.46'
17	17.33'	25.00'	39°42'54"	N68°40'20"E	16.98'
18	118.28'	40.00'	169°25'49"	N46°28'13"W	79.66'
19	17.33'	25.00'	39°42'54"	N18°23'14"E	16.98'
20	81.09'	200.00'	23°13'53"	N76°54'50"E	80.54'
21	39.10'	25.00'	89°36'37"	N46°16'31"W	35.23'
22	47.12'	30.00'	90°00'00"	N43°55'10"E	42.43'
23	47.12'	30.00'	90°00'00"	N46°04'50"W	42.43'

- Notes:
- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
 - ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
 - THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83).
 - ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
 - ACCESS AT THE TIME OF PLAT WAS PROVIDED BY SOUTH MINGO ROAD BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.

DATE OF PREPARATION: November 5, 2024

Reserve at Pecan Creek
SHEET 1 OF 3

Reserve at Pecan Creek

PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N/2 SE/4) OF SECTION ONE (1),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION & RESTRICTIVE COVENANTS

KNOW ALL PERSONS BY THESE PRESENTS:

SPARTAN SOUTH DEVELOPMENT GROUP, 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:

A TRACT OF LAND THAT IS PART OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N/2 N/2 SE/4) OF SECTION ONE (1), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID N/2 N/2 SE/4 OF SECTION ONE (1); THENCE SOUTH 1°04'50" EAST AND ALONG THE EAST LINE OF SAID SECTION 1 FOR A DISTANCE OF 661.21 FEET; THENCE SOUTH 88°31'59" WEST AND ALONG THE SOUTH LINE OF THE N/2 N/2 SE/4 FOR A DISTANCE OF 2452.09 FEET; THENCE NORTH 7°11'33" EAST FOR A DISTANCE OF 294.69 FEET; THENCE NORTH 0°01'00" WEST FOR A DISTANCE OF 369.84 FEET TO A POINT THAT IS 246.44 FEET NORTH 88°31'47" EAST FROM THE NORTHWEST CORNER OF THE N/2 N/2 SE/4; THENCE NORTH 88°31'47" EAST AND ALONG THE NORTH LINE OF THE N/2 N/2 SE/4 FOR A DISTANCE OF 2402.81 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 1,598,012 SQUARE FEET OR 36.685 ACRES.

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

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

SECTION I. - STREETS, EASEMENTS, AND UTILITIES

A. STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER HEREBY GRANTS, DONATES, CONVEYS, AND DEDICATES TO THE PUBLIC FOR PUBLIC USE THE STREET "SOUTH MINGO ROAD" AS DEPICTED ON THE ACCOMPANYING PLAT AND FURTHER DEDICATES TO THE PUBLIC FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, AND WATERLINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO, OVER, AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, TOGETHER WITH SIMILAR EASEMENT RIGHTS WITHIN THE PUBLIC STREETS; PROVIDED HOWEVER, OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, AND REPLACE WATERLINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, AND REPLACING OVER, ACROSS, AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. OWNER/DEVELOPER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT AND RESERVE AREA OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE THAT, WITHIN THE STREETS AND UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE, OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF A STREET OR EASEMENT SHALL BE PLACED, ERECTED, INSTALLED, OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY-PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS.

B. UNDERGROUND SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE PERIMETER UTILITY EASEMENTS OF THE SUBDIVISION AND WITHIN THE RIGHT-OF-WAY OF "SOUTH MINGO ROAD" AS DEDICATED BY THIS PLAT. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED BY UNDERGROUND CABLE AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY-PRECEDING SENTENCE, ALL SUPPLY LINES INCLUDING ELECTRIC, COMMUNICATIONS, AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICE AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES TO ALL STRUCTURES LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST SERVICE PEDESTAL OR TRANSFORMER OR GAS MAIN TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE, 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 EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A FIVE (5) FOOT STRIP EXTENDING TWO AND ONE-HALF (2.5) FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE, EXTENDING FROM THE SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE, TERMINATING AT THE PLANE FORMED BY THE EXTERIOR BUILDING WALL OF THE STRUCTURE.

- THE SUPPLIERS OF ELECTRIC, COMMUNICATION, AND GAS SERVICES, THROUGH THEIR AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- THE OWNER OF EACH LOT AND RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UTILITY SERVICE FACILITIES LOCATED ON SUCH OWNER'S LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, COMMUNICATION, OR GAS FACILITIES. THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.
- THE COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE SUPPLIERS OF WATER, SEWER, ELECTRIC, COMMUNICATION, AND GAS SERVICES, AND THE OWNER OF EACH LOT AND RESERVE AREA WITHIN THE SUBDIVISION AGREES TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

- THE OWNER OF EACH LOT AND RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, PUBLIC SANITARY SEWER MAINS, AND PUBLIC AND PRIVATE STORM SEWER FACILITIES LOCATED ON THEIR LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH A PUBLIC WATER MAIN, PUBLIC SANITARY SEWER MAIN, OR PUBLIC OR PRIVATE STORM SEWER FACILITY. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR PUBLIC OR PRIVATE STORM SEWER FACILITY, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH SAID MAINS OR FACILITIES, SHALL BE PROHIBITED, AND IF SO ALTERED BY THE LOT OR RESERVE AREA OWNER, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS, AND MANHOLES, SHALL BE ADJUSTED TO THE ALTERED GROUND ELEVATIONS BY THE OWNER OF THE LOT OR RESERVE AREA OR, AT ITS ELECTION, THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS OR DESIGNATED CONTRACTORS, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.
 - THE CITY OF BIXBY, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, PUBLIC SANITARY SEWER MAINS, AND PUBLIC STORM SEWER FACILITIES, BUT THE OWNER OF EACH LOT AND RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH MAINS AND FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.
 - EXCEPT FOR THOSE PUBLIC STORM SEWER FACILITIES WITHIN AND ALONG THE PERIMETER UTILITY EASEMENTS, OR AS OTHERWISE NOT IDENTIFIED AS "PRIVATE" ON THE CIVIL ENGINEERING CONSTRUCTION PLANS APPROVED BY AND ON FILE WITH THE CITY OF BIXBY, OKLAHOMA, ALL STORM SEWER FACILITIES WITHIN THE SUBDIVISION SHALL BE PRIVATE AND MAINTAINED BY THE LOT OR RESERVE AREA OWNER OR THE HOMEOWNERS' ASSOCIATION (AS DEFINED BELOW).
 - THE CITY OF BIXBY, OR ITS SUCCESSORS, THROUGH ITS PROPER AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH ITS EQUIPMENT TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.
 - ALL WATERLINES, SANITARY SEWER LINES, AND STORM SEWER FACILITIES SHALL BE MAINTAINED IN GOOD REPAIR BY THE UTILITY CONTRACTOR FOR THE TERM OF AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE MAINTENANCE BOND OF WHICH THE CITY OF BIXBY IS THE BENEFICIARY. IF ANY REPAIR ISSUES ARISE, THE OWNER/DEVELOPER SHALL ASSIST THE CITY OF BIXBY IN COORDINATION AND FACILITATION WITH THE APPROPRIATE CONTRACTOR.
 - THE FOREGOING COVENANTS CONCERNING WATER, SANITARY SEWER, AND STORM SEWER FACILITIES SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AND RESERVE AREA AGREES TO BE BOUND HEREBY.
- D. SURFACE DRAINAGE
- EACH LOT WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND

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

E. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

F. OVERLAND DRAINAGE EASEMENTS

- FOR THE BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION THE CITY OF BIXBY, OKLAHOMA, THE OWNER/DEVELOPER HEREBY ESTABLISHES AND DEDICATES TO THE PUBLIC PERPETUAL AND NON-EXCLUSIVE OVERLAND DRAINAGE EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" OR "ODE" FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS, RESERVE AREAS, AND STREETS WITHIN THE SUBDIVISION, AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.
- DRAINAGE FACILITIES CONSTRUCTED WITHIN THE OVERLAND DRAINAGE EASEMENT SHALL BE IN ACCORDANCE WITH ADOPTED STANDARDS OF THE CITY OF BIXBY, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY ENGINEERING DEPARTMENT.
- NO FENCE, WALL, BUILDING, HVAC, POOL, OR OTHER BUILDING-RELATED EQUIPMENT, OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN THE OVERLAND DRAINAGE EASEMENT AREAS UNLESS APPROVED BY THE CITY OF BIXBY ENGINEERING DEPARTMENT, NOR SHALL THERE BE ANY ALTERATION OF THE GRADES OR CONTOURS IN THE OVERLAND DRAINAGE EASEMENT AREAS UNLESS APPROVED BY THE CITY OF BIXBY ENGINEERING DEPARTMENT. PROVIDED, HOWEVER, THAT, AS COINCIDENT WITH A UTILITY EASEMENT, CUSTOMARY ABOVE-GROUND UTILITY APPURTENANCES SHALL BE DEEMED NON-OBSTRUCTING AND SHALL BE PERMITTED.
- THE OVERLAND DRAINAGE EASEMENT AREAS AND FACILITIES THEREIN LOCATED SHALL BE MAINTAINED BY THE OWNER OF THE LOT OR RESERVE AREA, AS SUBJECT TO THE EASEMENT, AND THE MAINTENANCE SHALL BE PERFORMED TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION.

- IN THE EVENT THE OWNER OF THE LOT OR RESERVE AREA, AS SUBJECT TO THE OVERLAND DRAINAGE EASEMENT, SHOULD FAIL TO PROPERLY MAINTAIN THE EASEMENT AREA AS ABOVE PROVIDED, THE HOMEOWNERS' ASSOCIATION (AS DEFINED BELOW) OR THE CITY OF BIXBY, OKLAHOMA, OR THEIR RESPECTIVE DESIGNATED CONTRACTORS, MAY ENTER THE OVERLAND DRAINAGE EASEMENT AREA AND PERFORM SUCH MAINTENANCE, AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER OF THE LOT OR RESERVE AREA AS SUBJECT TO THE EASEMENT. IN THE EVENT SUCH OWNER SHOULD FAIL TO PAY THE COSTS OF SAID MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BIXBY, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT OR RESERVE AREA, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

SECTION II. - RESERVE AREAS

A. PURPOSE

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

B. RESERVE A

- RESERVE A, AS DESIGNATED ON THE ACCOMPANYING PLAT, IS HEREBY ESTABLISHED BY GRANT OF THE OWNER/DEVELOPER FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN THE SUBDIVISION, THEIR GUESTS AND INVITEES, FOR THE PURPOSE OF PROVIDING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM THE LOTS IN THE SUBDIVISION AND THE PUBLIC STREETS BORDERING THE SUBDIVISION, AND SHALL BE LIMITED TO USE FOR PRIVATE STREETS, FOR PROVIDING PRIVATE STORMSEWER AND DRAINAGE AND DETENTION FACILITIES TO CONTROL STORMWATER RUNOFF, FOR UTILITIES, AND FOR PROVIDING ENTRANCE SECURITY GATES AND ENTRY FACILITIES, ENTRY FEATURES, SIGNAGE, FENCES AND WALLS, LANDSCAPING, IRRIGATION, AND LIGHTING, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION (AS DEFINED BELOW), TO BE FORMED PURSUANT TO SECTION IV. HEREOF, FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE PRIVATE STREETS AND OTHER COMMON AREAS OF THE SUBDIVISION.
- THE OWNER/DEVELOPER HEREBY GRANTS TO THE CITY OF BIXBY, OKLAHOMA, THE UNITED STATES POSTAL SERVICE, ANY PUBLIC UTILITY PROVIDING UTILITY SERVICE TO THE SUBDIVISION, AND TO ANY REFUSE COLLECTION SERVICE WHICH PROVIDES SERVICE WITHIN THE SUBDIVISION, THE RIGHT TO ENTER AND TRAVERSE THE PRIVATE STREETS WITHIN RESERVE A AND TO OPERATE THEREON ALL SERVICE, EMERGENCY AND GOVERNMENT VEHICLES INCLUDING, BUT NOT LIMITED TO, POLICE, FIRE, AND EMERGENCY MEDICAL VEHICLES AND EQUIPMENT.
- THE DEVELOPER, FOR ITSELF AND ITS SUCCESSORS, HEREBY COVENANTS WITH THE CITY OF BIXBY, OKLAHOMA, WHICH COVENANTS SHALL RUN WITH THE LAND AND INURE TO THE BENEFIT OF THE CITY OF BIXBY, OKLAHOMA, AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, TO:

- CONSTRUCT AND MAINTAIN STREETS EXTENDING THE FULL LENGTH OF RESERVE A, AS DEPICTED ON THE ACCOMPANYING PLAT, AND MEETING OR EXCEEDING CITY OF BIXBY DESIGN STANDARDS FOR A MINOR LOCAL RESIDENTIAL PUBLIC STREET.
- SECURE INSPECTION BY THE CITY OF BIXBY, OKLAHOMA, OF THE PRIVATE STREETS AND SECURE CERTIFICATION BY THE CITY OF BIXBY, OKLAHOMA, THAT THE PRIVATE STREETS HAVE BEEN CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, OR IF THE CITY OF BIXBY, OKLAHOMA, DECLINES TO INSPECT THE PRIVATE STREETS, CERTIFICATION SHALL BE SECURED FROM A LICENSED PROFESSIONAL ENGINEER THAT THE PRIVATE STREETS WERE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, AND THE REQUIRED CERTIFICATION SHALL BE FILED WITH THE CITY OF BIXBY, OKLAHOMA, PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY LOT THAT DERIVES ITS ACCESS FROM A PRIVATE STREET.

- THE DEVELOPER ACKNOWLEDGES, FOR ITSELF AND ITS SUCCESSORS IN TITLE, THAT THE CITY OF BIXBY, OKLAHOMA, SHALL HAVE NO DUTY TO MAINTAIN ANY OF THE PRIVATE STREETS WITHIN THE SUBDIVISION, NOR HAVE ANY IMPLIED OBLIGATION TO ACCEPT ANY SUBSEQUENT TENDER OF CONVEYANCE OF ANY PRIVATE STREET WITHIN THE SUBDIVISION

- RESERVE A, WHETHER OR NOT SO DESIGNATED ON THE ACCOMPANYING PLAT, IS HEREBY ADDITIONALLY DEDICATED AS A GENERAL UTILITY EASEMENT.

C. RESERVE B

RESERVE B, AS DESIGNATED ON THE ACCOMPANYING PLAT, IS ESTABLISHED FOR THE PURPOSES OF PROVIDING FOR A PRIVATE PARK, SIGNAGE, FENCES AND WALLS, LANDSCAPING, IRRIGATION, LIGHTING, UTILITIES, OPEN SPACE, AND OTHER PRIVATE RECREATIONAL USES AND FACILITIES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION (AS DEFINED BELOW).

D. RESERVES C AND D

RESERVES C AND D, AS DESIGNATED ON THE ACCOMPANYING PLAT, ARE ESTABLISHED FOR THE PURPOSES OF ENTRY FEATURES, SIGNAGE, FENCES AND WALLS, LANDSCAPING, IRRIGATION, LIGHTING, UTILITIES, PRIVATE PARK, OPEN SPACE, AND OTHER PRIVATE RECREATIONAL USES AND FACILITIES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION (AS DEFINED BELOW).

E. RESERVE E

RESERVE E, AS DESIGNATED ON THE ACCOMPANYING PLAT, IS ESTABLISHED FOR THE PURPOSES OF VEHICULAR AND PEDESTRIAN ACCESS TO THE CITY OF BIXBY FRY CREEK DITCH AND ANY ROADWAYS AND TRAILS THEREIN CONTAINED, SIGNAGE, FENCES AND WALLS, LANDSCAPING, IRRIGATION, LIGHTING, UTILITIES, OPEN SPACE, PRIVATE PARK, AND OTHER PRIVATE RECREATIONAL USES AND FACILITIES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION (AS DEFINED BELOW).

F. RESERVE F

RESERVE F, AS DESIGNATED ON THE ACCOMPANYING PLAT, IS ESTABLISHED FOR THE PURPOSES OF PROVIDING FOR OVERLAND DRAINAGE, SIGNAGE, FENCES AND WALLS, LANDSCAPING, IRRIGATION, LIGHTING, UTILITIES, OPEN SPACE, PRIVATE

PARK, AND OTHER PRIVATE RECREATIONAL USES AND FACILITIES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION (AS DEFINED BELOW).

G. RESERVE G

RESERVE G, AS DESIGNATED ON THE ACCOMPANYING PLAT, IS ESTABLISHED FOR THE PURPOSES OF PROVIDING FOR SIGNAGE, FENCES AND WALLS, LANDSCAPING, IRRIGATION, LIGHTING, UTILITIES, OPEN SPACE, PRIVATE PARK, AND OTHER PRIVATE RECREATIONAL USES AND FACILITIES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION (AS DEFINED BELOW).

H. MAINTENANCE

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

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

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

F. INDEMNIFICATION OF OWNER AND CITY

EACH LOT AND RESERVE AREA OWNER OR RESIDENT AND MEMBER OF THE HOMEOWNERS' ASSOCIATION (AS DEFINED BELOW) AGREES TO HOLD HARMLESS THE DEVELOPER AND THE CITY OF BIXBY, AND THEIR RESPECTIVE AGENTS AND REPRESENTATIVES, FROM ALL CLAIMS, DEMANDS, LIABILITIES, OR DAMAGES ARISING IN CONNECTION WITH THE OWNERSHIP OR USE OF THE FACILITIES AND IMPROVEMENTS CONSTRUCTED OR SITUATED IN THE RESERVE AREAS AND FURTHER AGREES THAT NEITHER THE CITY OF BIXBY NOR THE DEVELOPER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT OR MEMBER OF THE HOMEOWNERS' ASSOCIATION (AS DEFINED BELOW) OR ANY GUEST, VISITOR, OR INVITEE THEREOF FOR ANY DAMAGE TO PERSON OR PROPERTY CAUSED BY ACTION, OMISSION OR NEGLIGENCE OF ANY LOT OR RESERVE AREA OWNER OR RESIDENT OR MEMBER OF THE HOMEOWNERS' ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

Reserve at Pecan Creek

PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N/2 SE/4) OF SECTION ONE (1),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

SECTION III. - PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE SUBDIVISION WAS SUBMITTED AS A PART OF A PLANNED UNIT DEVELOPMENT (PUD) NO. BXPUD 24.03 ("127TH AND MINGO") AS PROVIDED WITHIN TITLE 11 OF THE BIXBY, OKLAHOMA CITY CODE (BIXBY ZONING CODE), AND

WHEREAS, PUD NO. BXPUD 24.03 WAS PRESENTED DURING A PUBLIC HEARING BEFORE THE CITY OF BIXBY PLANNING COMMISSION ON MAY 20, 2024, AND APPROVED BY THE BIXBY CITY COUNCIL ON JUNE 24, 2024, WITH IMPLEMENTING ORDINANCE (ORDINANCE NO. 2473) AND EMERGENCY CLAUSE BOTH APPROVED JUNE 24, 2024, AND

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

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

NOW, 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 SUBDIVISION SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. BXPUD 24.03, AS APPROVED BY THE CITY OF BIXBY, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF BXPUD 24.03 AS MAY BE SUBSEQUENTLY APPROVED.

B. DEVELOPMENT STANDARDS

GROSS LAND AREA:	1,619,535 SF	37.179 AC
NET LAND AREA:	1,619,535 SF	37.179 AC
PERMITTED USES: USE UNIT 6 SINGLE-FAMILY DETACHED DWELLING UNITS AND CUSTOMARY ACCESSORY USES; USE UNIT 5 COMMON AREA FACILITIES SUCH AS NEIGHBORHOOD PARK, PLAYGROUND, AND RECREATIONAL OPEN SPACE.		
MAXIMUM NUMBER OF LOTS:	148	
MINIMUM LOT WIDTH †:	65 FT	
MINIMUM LOT SIZE:	8,775 SF	
MINIMUM LAND AREA PER DWELLING UNIT:	10,875 SF *	
MAXIMUM BUILDING HEIGHT:	2 STORIES AND 35 FT **	
OFF-STREET PARKING AND FRONT YARD COVERAGE:		
MINIMUM TWO (2) ENCLOSED OFF-STREET PARKING SPACES REQUIRED PER DWELLING UNIT.		
MINIMUM LIVABILITY SPACE	4,000 SF ***	
MINIMUM YARD SETBACKS		
FRONT YARD:	25 FT	
REAR YARD:	20 FT	
SIDE YARD (INTERIOR):	5 FT	
SIDE YARD ABUTTING A STREET:	15 FT	
GARAGE FACING SIDE YARD STREET:	20 FT	
OTHER BULK AND AREA REQUIREMENTS: AS REQUIRED WITHIN THE RS-2 DISTRICT		
MINIMUM DWELLING SIZE:	1,700 SF ****	
MINIMUM MASONRY FIRST FLOOR:	100% ****	

* MINIMUM LAND AREA PER DWELLING UNIT IS SATISFIED BY THE PROPORTION OF MAXIMUM NUMBER OF LOTS TO GROSS LAND AREA AS PROVIDED IN ZONING CODE SECTION 11-71-5.A.1. LOTS ARE THEREFORE NOT SUBJECT TO THIS REQUIREMENT ON AN INDIVIDUAL BASIS.

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

*** LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-71-5.C OF THE BIXBY ZONING CODE.

**** SEE STANDARDS PERTAINING TO DWELLINGS FOR ADDITIONAL SPECIFICATIONS.

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

C. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

1. ACCESS AND CIRCULATION. THE DEVELOPMENT SHALL CONFORM TO FIRE CODE REQUIREMENTS.

STREETS SERVING 127TH & MINGO SHALL BE PRIVATE AND GATED AND SHALL MEET THE STANDARDS OF THE CITY OF BIXBY FOR MINOR PUBLIC STREETS; PROVIDED, HOWEVER, THE CITY OF BIXBY MAY APPROVE ALTERNATIVE STREET DESIGN STANDARDS THROUGH PLATTING INCLUDING, BUT NOT LIMITED TO, PRIVATE, GATED STREETS WITH REDUCED RIGHT-OF-WAY WIDTH AND APPROVED ALTERNATIVES TO TYPICAL SIDEWALK DESIGN. ANY DIVIDED, BOULEVARD-STYLE STREETS SEPARATED BY PRIVATE LANDSCAPED ISLANDS MAY HAVE ONE-WAY LANES MEETING RIGHT-OF-WAY WIDTH REQUIREMENTS IN AGGREGATE AND SHALL OTHERWISE BE CONSTRUCTED TO MEET THE MINIMUM STANDARDS DETERMINED

BY THE CITY OF BIXBY DURING THE PLATTING STAGE. THE GATES SERVING PRIVATE STREETS SHALL BE DESIGNED ACCORDING TO THE FIRE CODE ADOPTED BY THE CITY OF BIXBY AND BE APPROVED BY THE BIXBY FIRE MARSHAL DURING THE PLATTING STAGE. BOTH THE BIXBY AND THE "GO PLAN" MAPS SHOW ANOTHER TRAIL, ALONG AND WITHIN THE SOUTH SIDE OF THE "SKI POND" TRACT, TURNING SOUTH, AND EXTENDING ALONG THE SUBJECT PROPERTY'S MINGO ROAD FRONTAGE. DURING THE PLATTING STAGE, PEDESTRIAN ACCESS FROM THE SUBDIVISION SHALL BE PROVIDED TO THE ADJOINING TRAIL CORRIDORS.

2. SIGNS.

RESIDENTIAL SUBDIVISION ENTRANCE SIGNAGE SHALL BE PERMITTED ALONG THE MINGO RD. STREET FRONTAGE AND SHALL COMPLY WITH STANDARDS FOR SIGNS AS PROVIDED IN THE BIXBY ZONING CODE. ENTRY SIGNAGE WILL BE INTEGRATED WITH THE NEIGHBORHOOD FENCE ALONG MINGO RD. AND CONTAINED WITHIN A FENCE AND LANDSCAPE EASEMENT, TO BE MAINTAINED BY THE MANDATORY HOMEOWNERS' ASSOCIATION. SIGNAGE SERVING RESIDENTIAL NEIGHBORHOOD AMENITIES, APPROPRIATE FOR PURPOSE AND NEIGHBORHOOD SCALE, SHALL BE PERMITTED WITHIN RESERVE AREAS CONTAINING NEIGHBORHOOD AMENITIES. SIGNAGE SHALL OTHERWISE COMPLY WITH THE BIXBY ZONING CODE.

3. PLATTING AND SITE PLAN REQUIREMENTS.

NO BUILDING PERMIT SHALL BE ISSUED UNTIL A SUBDIVISION PLAT HAS BEEN SUBMITTED TO AND RECOMMENDED UPON BY THE BIXBY PLANNING COMMISSION AND APPROVED BY THE COUNCIL OF THE CITY OF BIXBY, AND DULY FILED OF RECORD. THE REQUIRED SUBDIVISION PLAT SHALL INCLUDE COVENANTS OF RECORD IMPLEMENTING THE DEVELOPMENT STANDARDS OF THE APPROVED PUD AND THE CITY OF BIXBY SHALL BE A BENEFICIARY THEREOF. THE PLAT WILL ALSO SERVE AS THE SITE PLAN FOR ALL RESIDENTIAL LOTS CONTAINED WITHIN THE PLAT. DURING THE PLATTING STAGE, PEDESTRIAN ACCESS FROM THE SUBDIVISION SHALL BE PROVIDED TO THE ADJOINING TRAIL CORRIDORS. A NEIGHBORHOOD PARK IN SUBSTANTIAL CONFORMITY WITH THAT REPRESENTED ON THE CONCEPTUAL SITE PLAN SHALL BE REQUIRED, TO INCLUDE A MINIMUM AREA OF 0.64 ACRES. A MASONRY WALL WILL BE CONSTRUCTED ALONG MINGO ROAD, WHERE THERE ARE NO EXISTING FENCES, FENCING ALONG THE PUD BOUNDARIES WILL BE EIGHT FEET (8 FT) IN HEIGHT AND UNIFORM IN CHARACTER ALONG EACH OF THE NORTH, WEST, AND SOUTH PERIMETERS. EACH LOT SHALL HAVE INSTALLED AND THEREAFTER MAINTAIN AT LEAST ONE (1) LANDSCAPING TREE.

4. STANDARDS PERTAINING TO DWELLINGS:

ALL SINGLE FAMILY DWELLING UNITS SHALL HAVE A MINIMUM FINISHED HEATED LIVING AREA AND FIRST-FLOOR MASONRY CONTENT AS SPECIFIED WITHIN DEVELOPMENT STANDARDS SECTION III. MASONRY PERCENTAGES SHALL EXCLUDE WINDOWS, DOORS, AND BENEATH COVERED PATIOS AND PORCHES. THE MASONRY REQUIREMENT SHALL MEAN BRICK, NATURAL OR MANUFACTURED STONE, OR STUCCO. MASONRY SHALL BE APPLIED TO A MINIMUM OF THREE (3) BUILDING SIDES. THE EXTERIOR SURFACE OF ANY FOUNDATION, INCLUDING STEM WALLS, SHALL ALSO BE OF MASONRY. THE FOREGOING STANDARDS SHALL BE INCLUDED IN THE DEED OF DEDICATION AND RESTRICTIVE COVENANTS OF THE PLAT; ALL OTHER SUCH RESTRICTIONS PERTAINING TO DWELLINGS SHALL BE PRIVATE AND WILL BE CONTAINED IN A SEPARATE INSTRUMENT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, OR A SIMILARLY-TITLED DOCUMENT.

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

SECTION IV. - HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

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

B. MEMBERSHIP

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

C. COVENANT FOR ASSESSMENTS

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

D. ENFORCEMENT RIGHTS OF THE ASSOCIATION

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

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

A. ENFORCEMENT AND DURATION

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

B. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. STREETS, EASEMENTS, AND UTILITIES, SECTION II. RESERVE AREAS, AND SECTION V. ENFORCEMENT, DURATION, AMENDMENT, & SEVERABILITY MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LOT OR LOTS TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS, WITH THE APPROVAL OF THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION III. PLANNED UNIT DEVELOPMENT RESTRICTIONS SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF A MINOR AMENDMENT TO BXPUD 24.03 BY THE BIXBY PLANNING COMMISSION AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE BIXBY PLANNING COMMISSION WITH THE TULSA COUNTY CLERK, OR UPON APPROVAL OF A MAJOR AMENDMENT TO BXPUD 24.03 UPON FILING OF RECORD AN ORDINANCE AND/OR OTHER VALID RECORD OF CITY OF BIXBY APPROVAL. THE COVENANTS WITHIN 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 RECORD OWNER OF AT LEAST ONE (1) LOT WITHIN "RESERVE AT PECAN CREEK" OR ALTERNATIVELY, THE COVENANTS WITHIN SECTION IV. MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF MORE THAN 75% OF THE LOTS WITHIN THE SUBDIVISION, PROVIDED HOWEVER, IN THE EVENT OF A CONFLICT OF AMENDING OR TERMINATING INSTRUMENTS, THE INSTRUMENT EXECUTED BY THE OWNER/DEVELOPER SHALL GOVERN. THE PROVISIONS OF ANY SUCH INSTRUMENT AMENDING OR TERMINATING COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE THE INSTRUMENT IS PROPERLY RECORDED.

C. SEVERABILITY

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

D. DEFINITIONS

IN THE EVENT OF AMBIGUITY OF ANY WORD OR TERM SET FORTH HEREIN, THE MEANING THEREOF SHALL BE DEEMED TO BE DEFINED AS SET FORTH WITHIN THE CITY OF BIXBY ZONING CODE AS THE SAME EXISTED ON JUNE 24, 2024.

IN WITNESS WHEREOF, THE OWNER HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS
____ DAY OF _____, 2025.

SPARTAN SOUTH DEVELOPMENT GROUP, LLC,

AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
JULIUS PUMA, MANAGER

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 _____, 2025, PERSONALLY APPEARED JULIUS PUMA, TO ME KNOWN TO BE THE IDENTICAL PERSON(S) WHO SUBSCRIBED THE NAME OF SPARTAN SOUTH DEVELOPMENT GROUP, LLC TO THE FOREGOING INSTRUMENT, AS ITS MANAGER, 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 SPARTAN SOUTH DEVELOPMENT GROUP, LLC FOR THE USES AND PURPOSES THEREIN SET FORTH. GIVEN UNDER MY HAND AND SEAL OF OFFICE THE DAY AND YEAR LAST ABOVE WRITTEN.

03/08/2028
MY COMMISSION EXPIRES

NOTARY PUBLIC

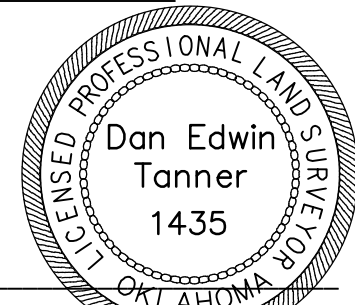


CERTIFICATE OF SURVEY

I, DAN E. TANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED AS "RESERVE AT PECAN CREEK", A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

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

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



STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THE _____ DAY OF _____, 2025, PERSONALLY APPEARED TO ME DAN E. TANNER, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS LICENSED PROFESSIONAL LAND SURVEYOR TO THE FOREGOING CERTIFICATE, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

03/08/2028
MY COMMISSION EXPIRES

NOTARY PUBLIC



Conceptual Utility Plan

BXPUD 24.03

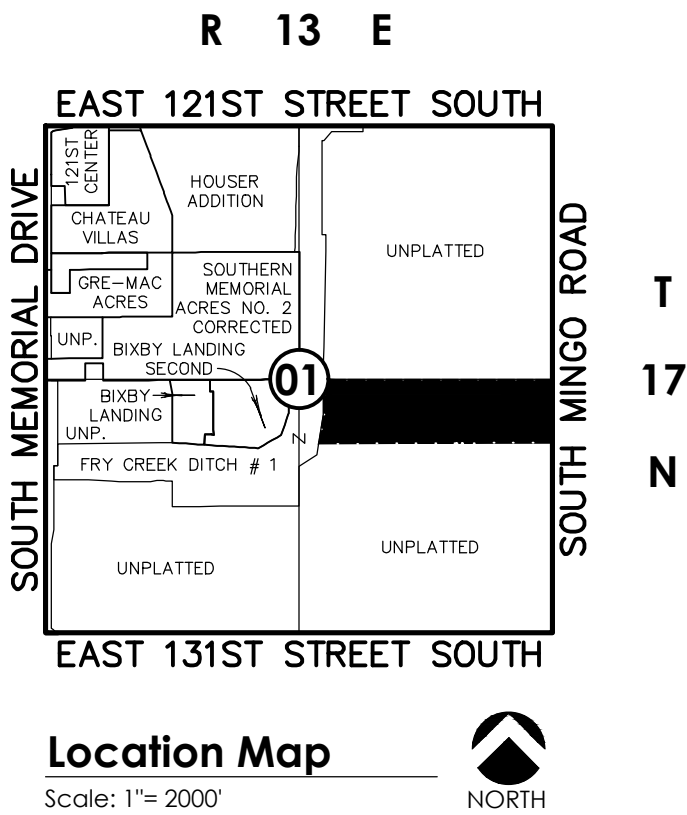
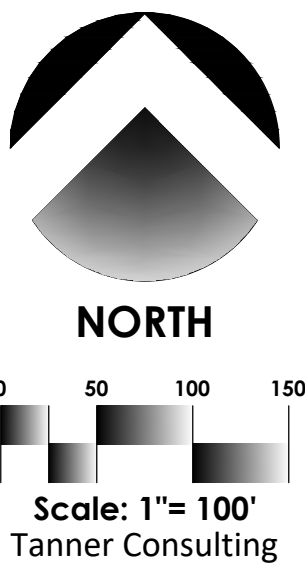
OWNER:
Spartan South Development Group, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY
CONTACT: JULIUS PUMA
EMAIL: PUMA74011@YAHOO.COM
10618 South Winston Court
Tulsa, Oklahoma 74137
Phone: (918) 298-6700

Reserve at
Pecan Creek

PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N/2 SE/4) OF SECTION ONE (1),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

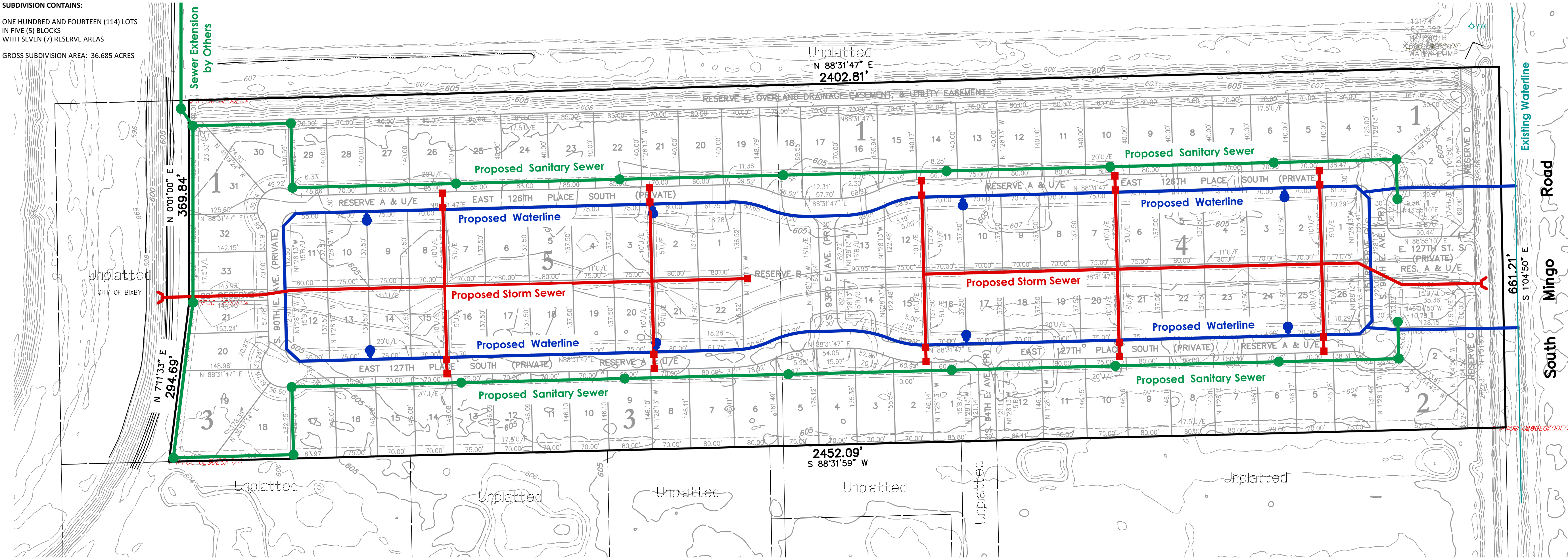
SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2025
EMAIL: DAN@TANNERBAITSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

LEGEND	
B/L	BUILDING LINE
B/U	BUILDING LINE & UTILITY EASEMENT
BK PG	BOOK & PAGE
CB	CHORD BEARING
CD	CHORD DISTANCE
CL	CENTERLINE
Δ	DELTA ANGLE
DOC	DOCUMENT
ESMT	EASEMENT
GOV'T	GOVERNMENT
LNA	LIMITS OF NO ACCESS
ODE	OVERLAND DRAINAGE EASEMENT
PR	PRIVATE
RES.	RESERVE
R/W	RIGHT-OF-WAY
U/E	UTILITY EASEMENT
●	ADDRESS ASSIGNED
●	PROPOSED FIRE HYDRANT
●	PROPOSED SEWER MANHOLE
■	PROPOSED STORM SEWER INLET



SUBDIVISION CONTAINS:

ONE HUNDRED AND FOURTEEN (114) LOTS
IN FIVE (5) BLOCKS
WITH SEVEN (7) RESERVE AREAS
GROSS SUBDIVISION AREA: 36.685 ACRES



Notes:

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83).
- ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
- ACCESS AT THE TIME OF PLAT WAS PROVIDED BY SOUTH MINGO ROAD BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.

DATE OF PREPARATION: November 5, 2024

Reserve at Pecan Creek
SHEET 1 OF 1



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

Staff Report

To: Planning Commission

From: Joey Wiedel, Interim City Manager
Gladys Gill, Assistant Planner

Date: Monday, December 16, 2024

Name: Ellis Ranch

RE: Planned Unit Development Major Amendment No. 2 – BXPUD-21.11

Location: Southwest corner of East 161st Street South and South Memorial Drive,
in the City of Bixby, Oklahoma.

STR: Section 26, Township 17N, Range 13E

Applicant: Tanner Consulting, LLC

Request:

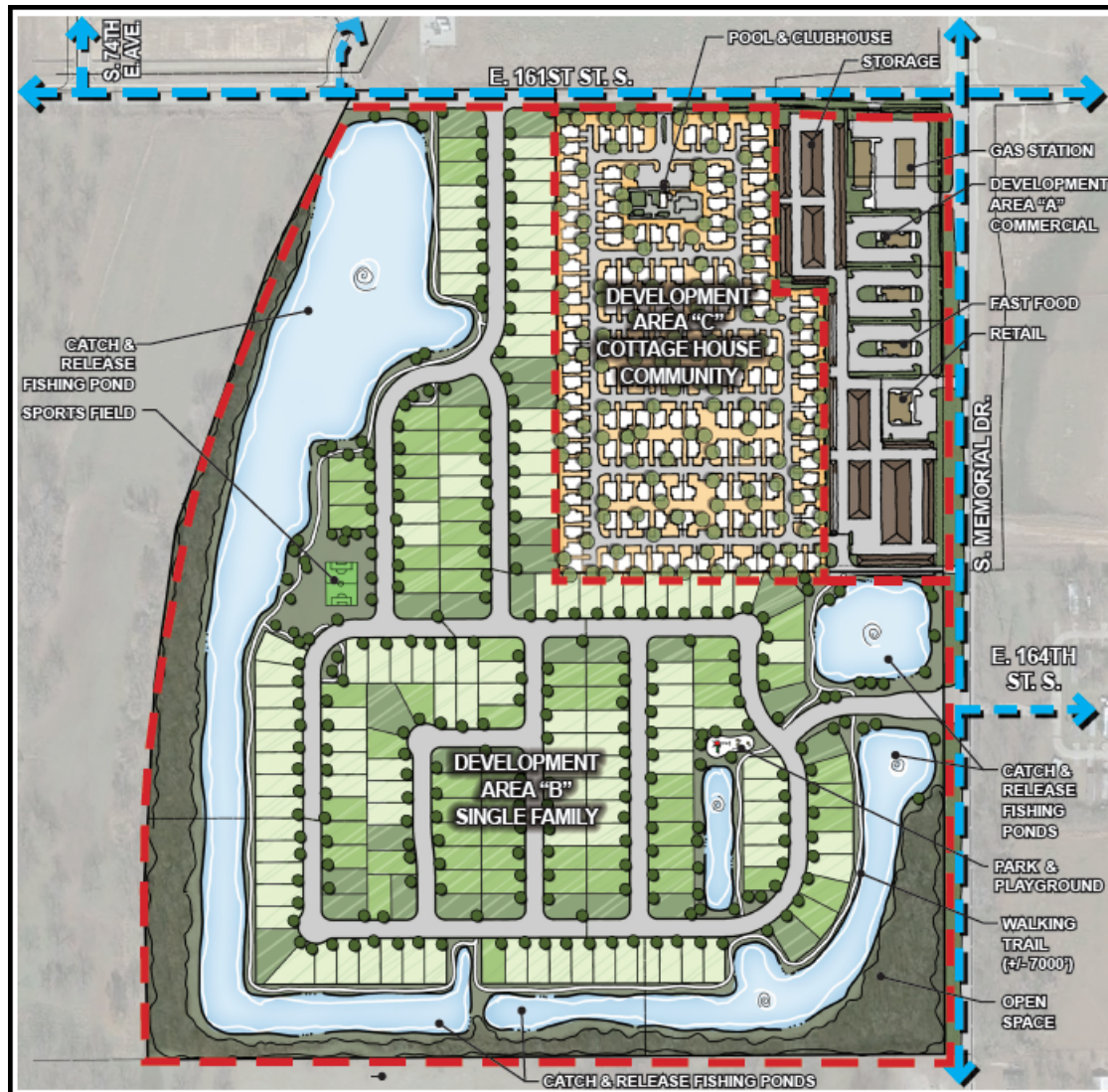
Tanner Consulting, the applicant requests approval for Major Amendment #2 to BXPUD-21.11. This current amendment introduces modifications to the Ellis Ranch Development Area B to accommodate public streets, revised lot sizes, and updated amenities while maintaining the overall vision of a mixed-use, walkable community.

Background and Project History:

The original Planned Unit Development (PUD) BXPUD-21.11 was approved on October 24, 2021, with subsequent amendments and plats approved in 2022 and 2023.

Site Stats: Acres: 90.773 +/-

Figure 1: Conceptual Site Plan



Proposed Changes:

Public Streets:

- Amendment proposes replacing private, gated streets with public streets meeting City standards.
- Option remains for gated streets with reduced right-of-way widths subject to City approval.

Lot Sizes:

- Adjustments to lot dimensions include:
 - Minimum 60 feet wide (up to 54% of lots).
 - Minimum 65 feet wide (up to 32% of lots).
 - Minimum 70 feet wide (no maximum percentage).

Amenities Changes:

- Replace the planned pool and clubhouse with a park featuring an accessible playground.
- Reduce the size of the sports field.
- Maintain other amenities, including fishing ponds, landscaped entries, walking trails, and butterfly gardens.

Phased Development Plan:

- Development Area B is expected to commence in 2025 and proceed in phases, influenced by market conditions.
- Amenities such as the playground and sports field will align with phase completion schedules.

Revised Site Plan:

- Lot count reduced from 227 to 199 due to larger lot widths.

Development Area B proposes no changes to the minimum dwelling size.

Figure 2: Excerpt from Approved Major Amendment No. 1

Minimum Dwelling Size:	1,000 SF ††
† Defined as the average horizontal distance between the side lot lines, which is as it is presently defined in the Bixby Zoning Code.	
†† Maximum of two (2) at 1,000 to 1,149 SF, maximum of 30 at 1,150 to 1,299 SF; maximum of 32 at 1,300 to 1,499 SF; no maximum at 1,500 SF.	

Public Comments: No comments have been received for or against the Major Amendment #2.

Engineer Comments: After reviewing the Major Amendment to Ellis Ranch (BXPUD-21.11 MA.02), engineering did not have comments to add to the amendment.

Staff Review: The proposed changes, especially the transition to public streets, will require close collaboration with the City. Staff encourages the developer to maintain ongoing engagement with the City to finalize infrastructure plans and ensure compliance with all applicable standards. The option for private streets, subject to City approval, provides flexibility for future design considerations.

Staff recommends that detailed plans for street design and right-of-way standards be submitted during the platting phase to ensure compliance with City standards and compatibility with existing infrastructure. Overall, staff finds the amendment aligns with the original vision of the PUD while incorporating improvements that address community needs.

Figures: Figure 1: Conceptual Site Plan
 Figure 2: Excerpt from Approved Major Amendment No. 1

Attachments: Exhibit A: Ellis Ranch Proposed PUD Booklet

161ST & MEMORIAL

Major Amendment # 2 to BXPUD-21.11

Ellis Ranch

90.773 acres south and west of the southwest corner of
East 161st Street South and South Memorial Drive

Bixby, Oklahoma

Owner

Ellis Ranch Land Fund, LLC
c/o Ideal Homes
1320 N. Porter
Oklahoma City, OK 73071
(405) 689-5443

Applicant/Consultant

Tanner Consulting, LLC
Attn.: Erik Enyart
5323 South Lewis Avenue
Tulsa, OK 74105
eenyart@tannerbaitshop.com

November 5, 2024

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I. PROPERTY DESCRIPTION

Ellis Ranch consists of 90.773 acres located south and west of the southwest corner of East 161st Street South and South Memorial Drive, in the City of Bixby, Oklahoma, and is more particularly described within the following statement:

A TRACT OF LAND THAT IS A PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION TWENTY-SIX (26), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NE/4; THENCE SOUTH 88°36'36" WEST AND ALONG THE SOUTH LINE OF THE NE/4, FOR A DISTANCE OF 72.18 FEET TO A POINT ON THE PRESENT WEST RIGHT-OF-WAY LINE OF SOUTH MEMORIAL DRIVE, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 88°36'36" WEST AND CONTINUING ALONG SAID SOUTH LINE, FOR A DISTANCE OF 2173.07 FEET; THENCE NORTH 1°57'28" WEST FOR A DISTANCE OF 485.00 FEET; THENCE NORTH 1°53'18" EAST FOR A DISTANCE OF 537.00 FEET; THENCE NORTH 6°47'18" EAST FOR A DISTANCE OF 435.00 FEET; THENCE NORTH 18°32'19" EAST FOR A DISTANCE OF 760.00 FEET; THENCE NORTH 24°56'19" EAST FOR A DISTANCE OF 525.00 FEET TO A POINT ON THE NORTH LINE OF SAID NE/4; THENCE NORTH 88°35'21" EAST AND ALONG SAID NORTH LINE, FOR A DISTANCE OF 550.00 FEET TO THE NORTHWEST CORNER OF "SOUTHERN FARMS", A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 7063);

THENCE SOUTH 1°24'39" EAST AND ALONG THE WEST LINE OF "SOUTHERN FARMS", FOR A DISTANCE OF 1318.00 FEET TO THE SOUTHWESTERN CORNER THEREOF; THENCE NORTH 88°48'54" EAST AND ALONG THE SOUTH LINE OF "SOUTHERN FARMS", AND ITS EXTENSION, FOR A DISTANCE OF 1047.62 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF SOUTH MEMORIAL DRIVE; THENCE SOUTH 1°11'06" EAST, ALONG THE WEST RIGHT-OF-WAY LINE AND PARALLEL WITH THE EAST LINE OF THE NE/4, FOR A DISTANCE OF 1315.17 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 3,954,070 SQUARE FEET OR 90.773 ACRES.

The above described property will hereinafter be referred to as the "Site" or "Subject Property."

II. DEVELOPMENT CONCEPT

“161st & Memorial” is a mixed use Planned Unit Development (PUD) of 122.180 acres located at the southwest corner of East 161st Street South and South Memorial Drive in the City of Bixby, Oklahoma. 161st & Memorial proposes a variety of uses, with commercial areas centered at the intersection transitioning to a gated cottage house community, transitioning to a detached single family neighborhood. As planned, the generous open space areas necessary for stormwater drainage and detention will doubly serve as linear parks with sidewalks and/or trails connecting each end of the neighborhood. Streets and pedestrian accessways, consisting of sidewalks and/or trails, will connect the entire village and create a walkable, cohesive neighborhood.

Within 161st & Memorial, **Ellis Ranch** is the single-family residential neighborhood containing 90.773 acres and all of the open space areas within the PUD.

III. PROJECT HISTORY AND SCOPE

Planned Unit Development (PUD) No. BXPUD-21.11 ("161st & Memorial") was originally recommended for approval by the Bixby Planning Commission on October 18, 2021 and approved by the Bixby City Council on October 24, 2021. Also approved along with the PUD was an amendment to the Bixby Comprehensive Plan and a rezoning from AG to RS-3 and CG. Three (3) Preliminary Plats, corresponding to the 3 development areas, were approved by the Planning Commission June 21, 2022 and by the City Council June 27, 2022. The Final Plat of "Southern Farms" (PUD Development Area C) was approved by the Planning Commission August 15, 2022 and by the City Council September 12, 2022, and the plat was filed of record November 14, 2022 (Plat No. 7063).

Since the original Preliminary Plat of "Ellis Ranch" (204 lots; PUD Development Area B) was approved, a new owner has acquired the property and a new design has been prepared, with greater emphasis on integrated neighborhood design and more generous amenity plans. BXPUD-21.11 Major Amendment No. 1, recommended for approval by the Bixby Planning Commission on February 21, 2023 and approved by the Bixby City Council on February 27, 2023 (Ordinance # 2431), reduced minimum lot sizes to 55'-wide lots within Development Area B with certain guarantees for amenities, relaxed minimum dwelling unit sizes from 1,700 square feet to a range of 1,000 to 1,500 square feet, allowed within nonresidential Development Area A Use Unit 16 self-storage with specific design standards to ensure superior quality, and explicitly allowed within the PUD a model home to be used as a temporary sales office with temporary expanded parking pad. As a part of Major Amendment # 1, planned amenities included a pool and clubhouse, park and playground, sports field, catch and release fishing ponds, generously-landscaped entries, approximately 7,200 feet of internal walking trails, and butterfly gardens throughout the approximately 40 acres of open space, and streets were to be private and gated. The new design conceptually showed 227 lots, the additional lots achieved in part by introducing a mixture of 55'-wide lots with the 60'-wide lots.

This PUD Major Amendment # 2 proposes (A) to allow public streets in lieu of private, gated streets, in exchange for increasing lot widths to a range of 60' to 70' and larger and (B) replace the pool and clubhouse with a park with accessible playground and reduce the size of the sportsfield. Due to the new mix of lots ranging from 60' to 70', the current site plan has resulted in a total of 199 lots. With the exception of the splashpad replacing the pool and clubhouse, all other current amenities are planned.

Unless specifically modified herein, the approved permitted uses and development standards of the original PUD shall remain in full force and effect.

IV. AMENDED DEVELOPMENT STANDARDS

- A. Within Section III.B. Development Standards, the following are the amended development standards for Minimum Lot Width:

Minimum Lot Width †:	60 FT (Max. 54% of lots); 65 FT (Max. 32% of lots); 70 FT (no Max.)
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- B. Within Section IV.B. Access and Circulation, the following is the amended second paragraph:

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

- C. Within Section IV.F. Platting and Site Plan Requirements, the following is added as the fourth paragraph:

“Parking serving neighborhood amenities may be permitted partially within the street right-of-way and landscaping required for such off-street parking may be relocated elsewhere within the contiguous common open space. For improved visibility of neighborhood amenities, fencing serving Use Unit 5 neighborhood facilities may be four (4) feet in height and may be transparent. If Development Area B is phased, the pool and clubhouse accessible playground shall be included within the first phase, the playground and sports field shall be included no later than the second phase, and interior trails and 4-foot fencing within amenities shall correspond with the phase lots backing to the amenities. A letter specifying phase amenities shall be submitted to the City of Bixby with each Final Plat.”

- D. Within Section IV.H. Schedule of Development, the following is the updated schedule:

“Development of Development Area C of the project commenced in early 2023 and is under construction. Development of Development Area B is expected to commence later in 2025 and be phased and completed as market conditions permit. Development of Development Area A is expected to commence in 2025 or 2026, beginning with self-storage, and be phased and completed as market conditions permit.”

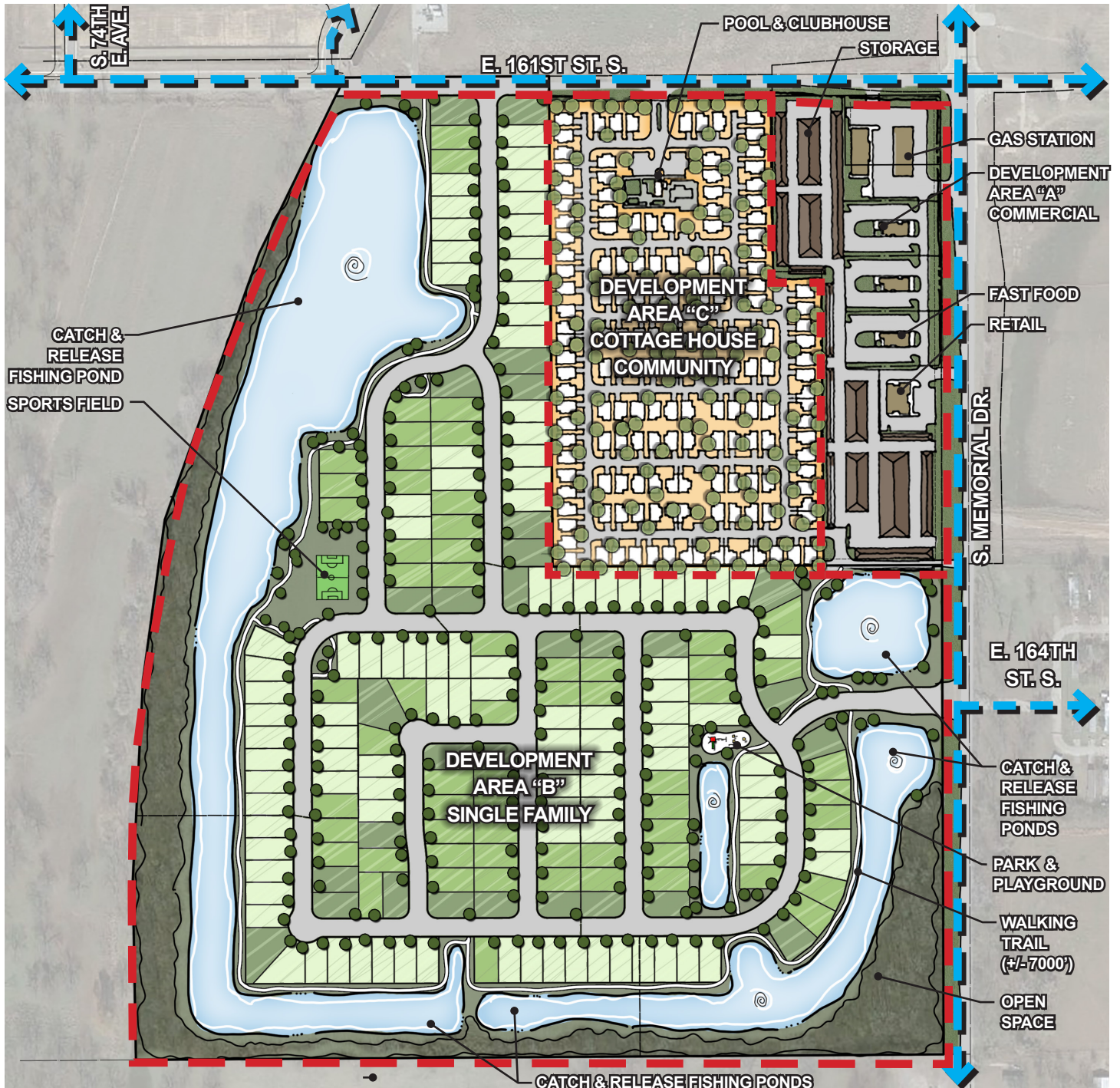
- E. The updated Exhibit B is incorporated herein.

Ellis Ranch

EXHIBIT B

CONCEPTUAL SITE PLAN

CONCEPTUAL LAYOUT DATED NOVEMBER 5, 2024





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

Staff Report

To: Planning Commission

From: Joey Wiedel, Interim City Manager
Gladys Gill, Assistant Planner

Date: Monday, December 16, 2024

Name: Deer Valley

RE: Planned Unit Development Major Amendment No. 2 – BXPUD-21.01
Preliminary Plat and Phase I Final Plat – BXPT-24.13

Location: Northwest corner (NW/c) 161st Street South and South Yale Avenue,
Bixby, Oklahoma 74008

STR: Section 21, Township 17N, Range 13E

Applicant: Tanner Consulting, LLC

Request:

Tanner Consulting, the applicant requests approval for Major Amendment #2 to BXPUD-21.01. The amendment seeks to adjust the minimum dwelling size requirements within the "Gated Cottage" lots and establish specific house size requirements for each neighborhood style within the PUD.

Additionally, a companion application has been filed to approve the revised Preliminary Plat reflecting changes from Major Amendment #1.

Background and Project History:

Original PUD Approval: Deer Valley was annexed into the City of Bixby on February 22, 2021 (Ordinance #2325) and approved as BXPUD-21.01 on April 12, 2021 (Ordinance #2331).

Major Amendment #1: Approved on August 23, 2021 (Ordinance #2354), this amendment incorporated a commercial development area, resized "Villas" lots, and adjusted boundaries within Development Areas A and B.

Current Request: Major Amendment #2 proposes updating the dwelling size requirements to reflect market demands and neighborhood styles.

Proposed Changes:

Dwelling Size Adjustments. Replace the current minimum dwelling size of 1,800 square feet with a specific size requirement for each neighborhood style, resulting in a weighted average of 1,893 square feet.

New Dwelling Size Standards:

Gated Cottage: 1,500 sq. ft. (19.2% of lots)

Villas: 1,800 sq. ft. (38.6% of lots)

Estates: 2,000 sq. ft. (25.8% of lots)

Reserve: 2,400 sq. ft. (16.4% of lots)

Site Stats: Acres: 160.422 +/-

Minimum Dwelling Size:

Development Area A: 1,500 SF: 2,400 SF ****

Development Area B: 1,500 SF: 2,400 SF ****

Development Area C: .50 (Maximum Floor Ratio)

**** Gated Cottage lots: 1,500 SF, Villas lots: 1,800 SF, Estates lots: 2,000 SF, Reserve lots 2,400 SF.

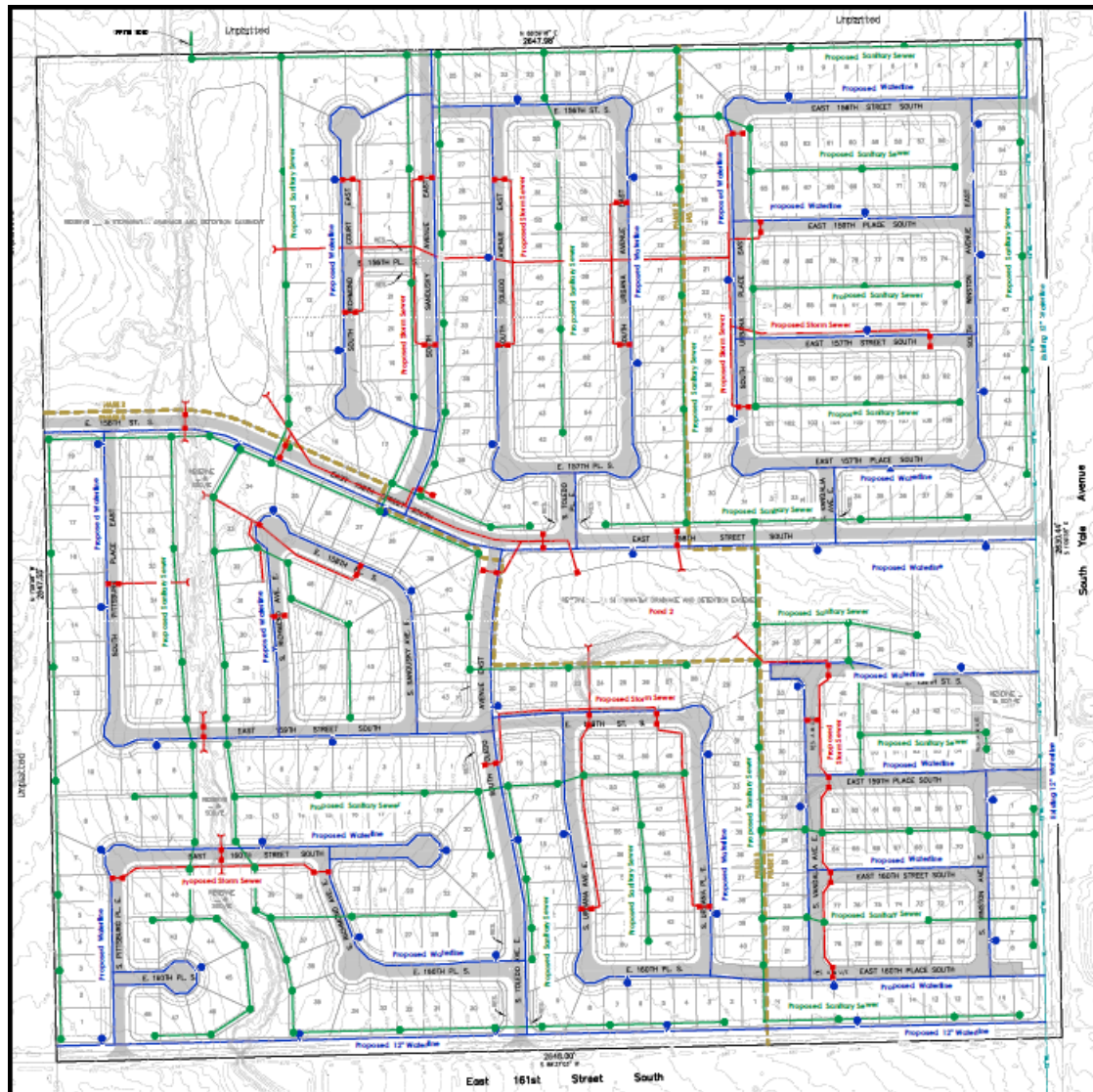
Neighborhood	# Lots	Percent	Dwelling Size	Aggregate SF
Gated Cottage	84	19.2%	1,500	126,000
Villas	169	38.6%	1,800	304,200
Estates	113	25.8%	2,000	226,000
Reserve	72	16.4%	2,400	172,800
Totals	438			829,000
Weighted Average				1,893

Utilities/Site Area:

Water: A 6" Okmulgee County Rural Water District #6 waterline is located with the site and along the West side of South Yale Avenue frontage; it is in the process of being replaced with a 12" waterline.

Sewer: Sanitary sewer will be extended to serve the site. The nearest gravity sanitary sewer is an 8" sewer line located at the northwest corner (NW/c) of "White Hawk Storage", and the current plan is to extend sewer along Posey Creek tributary to an 18" sewer line crossing under State Highway 67.

Figure 1: Conceptual Utility Plan



Public Comments: No comments have been received for or against the Major Amendment #2.

Engineer Comments: After reviewing the Major Amendment to Deer Valley (BXPUD-21.01 MA.02), engineering did not have comments to add to the amendment.

Staff Review

Figures: Figure 1: Conceptual Utility Plan

Attachments: Exhibit A: Deer Valley Proposed PUD Booklet
Exhibit B: Preliminary Master Plat
Exhibit C: Conceptual Utility Plan

DEER VALLEY

Major Amendment # 2 to BXPUD-21.01

160.422 acres located at the northwest corner of East 161st Street South and
South Yale Avenue

Bixby, Oklahoma

Owner

MPR Family II, LLC
c/o Daniel Ruhl
9128 S. Braden Ave. Ste. 201
Tulsa, OK 74137
(918) 970-6102

Applicant/Consultant

Tanner Consulting, LLC
Attn.: Erik Enyart
5323 South Lewis Avenue
Tulsa, OK 74105
eenyart@tannerbaitshop.com

November 5, 2024

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I. PROPERTY DESCRIPTIONS

Deer Valley consists of 160.422 acres located at the northwest corner of East 161st Street South and South Yale Avenue in the City of Bixby, Oklahoma, and is more particularly described with the following statement:

THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-ONE (21), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

The above described property will hereinafter be referred to as the "Site" or "Subject Property".

Development Area A contains 66.361 acres and is more particularly described with the following statement:

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-ONE (21), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SE/4; THENCE SOUTH 88°37'03" WEST AND ALONG THE SOUTH LINE OF THE SE/4, FOR A DISTANCE OF 1430.51 FEET; THENCE NORTH 1°09'58" WEST FOR A DISTANCE OF 323.52 FEET; THENCE NORTH 8°57'42" WEST FOR A DISTANCE OF 537.89 FEET; THENCE NORTH 1°52'23" WEST FOR A DISTANCE OF 160.01 FEET; THENCE NORTH 88°50'02" EAST FOR A DISTANCE OF 550.43 FEET; THENCE NORTH 1°09'58" WEST AND PARALLEL WITH THE EAST LINE OF THE SE/4, FOR A DISTANCE OF 1621.96 FEET TO A POINT ON THE NORTH LINE OF THE SE/4; THENCE NORTH 88°59'16" EAST AND ALONG SAID NORTH LINE, FOR A DISTANCE OF 955.00 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 1°09'58" EAST AND ALONG SAID EAST LINE, FOR A DISTANCE OF 1295.00 FEET; THENCE SOUTH 88°50'02" WEST AND PERPENDICULAR TO THE EAST LINE, FOR A DISTANCE OF 370.50 FEET; THENCE SOUTH 1°09'58" EAST AND PARALLEL WITH THE EAST LINE, FOR A DISTANCE OF 375.92 FEET; THENCE NORTH 88°50'02" EAST AND PERPENDICULAR TO THE EAST LINE, FOR A DISTANCE OF 370.50 FEET TO A POINT ON THE EAST LINE; THENCE SOUTH 1°09'58" EAST AND ALONG THE EAST LINE, FOR A DISTANCE OF 959.53 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 2,890,698 SQUARE FEET OR 66.361 ACRES.

Development Area B contains 90.864 acres and is more particularly described with the following statement:

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-ONE (21), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SE/4; THENCE NORTH 1°09'58" WEST AND ALONG THE WEST LINE OF THE SE/4, FOR A DISTANCE OF 2647.55 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 88°59'16" EAST AND ALONG THE NORTH LINE OF THE SE/4, FOR A DISTANCE OF 1692.98 FEET; THENCE SOUTH 1°09'58" EAST AND PARALLEL WITH SAID WEST LINE, FOR A DISTANCE OF 1621.96 FEET; THENCE SOUTH 88°50'02" WEST FOR A DISTANCE OF 550.43 FEET; THENCE SOUTH 1°52'23" EAST FOR A DISTANCE OF 160.01 FEET; THENCE SOUTH 8°57'42" EAST FOR A DISTANCE OF 537.89 FEET; THENCE SOUTH 1°09'58" EAST FOR A DISTANCE OF 323.52 FEET TO A POINT ON THE SOUTH LINE OF THE SE/4; THENCE SOUTH 88°37'03" WEST AND ALONG SAID SOUTH LINE, FOR A DISTANCE OF 1217.49 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 3,958,016 SQUARE FEET OR 90.864 ACRES.

Development Area C contains 3.197 acres and is more particularly described with the following statement:

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-ONE (21), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE/4; THENCE NORTH 1°09'58" WEST AND ALONG THE EAST LINE OF THE SE/4, FOR A DISTANCE OF 959.53 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 88°50'02" WEST AND PERPENDICULAR TO SAID EAST LINE, FOR A DISTANCE OF 370.50 FEET; THENCE NORTH 1°09'58" WEST AND PARALLEL WITH THE EAST LINE, FOR A DISTANCE OF 375.92 FEET; THENCE NORTH 88°50'02" EAST AND PERPENDICULAR TO THE EAST LINE, FOR A DISTANCE OF 370.50 FEET TO A POINT ON THE EAST LINE; THENCE SOUTH 1°09'58" EAST AND ALONG THE EAST LINE, FOR A DISTANCE OF 375.92 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 139,277 SQUARE FEET OR 3.197 ACRES.

II. DEVELOPMENT CONCEPT

Deer Valley is a master planned, single-family residential and commercial development of 160.422 acres located at the northwest corner of East 161st Street South and South Yale Avenue in the City of Bixby, Oklahoma. Deer Valley features four (4) distinct neighborhood styles connected by streets, sidewalks, trails, and ample, connected open space Reserve Areas. Neighborhood styles include larger, "Reserve" lots with typically 90' lot widths, "Estate" lots with customarily 70' lot widths, "Villas" lots with customarily 60' lot widths, and "Gated Cottage" lots with typically 55' lot widths. A commercial node is proposed at the southwest corner of the proposed intersection of the east-west collector street and Yale Avenue.

II. PROJECT HISTORY AND SCOPE

By petition of the owner, **Deer Valley** was annexed by the City of Bixby February 22, 2021 (Ordinance # 2325 with Emergency Clause).

Deer Valley was originally approved as and is proposed to be developed as a Planned Unit Development (PUD, then known as “The Retreat”, case # BXPUD-21.01) in order to enable the use of private, gated streets, the unique mix of neighborhood styles, and flexibility on development standards. Along with a Comprehensive Plan Amendment, rezoning, and Preliminary Plat, the original BXPUD-21.01 was recommended upon by the Bixby Planning Commission March 18, 2021 and approved by the Bixby City Council April 12, 2021 (Ordinance # 2331 with Emergency Clause).

At the time of approval of BXPUD-21.01, a commercial node on the Comprehensive Plan was relocated to the southwest corner of the proposed intersection of the east-west collector street and Yale Avenue, and this area was excluded from the original PUD. This triggered a redesign which, along with the then-known specific builder requirements for the “Villas” lots, were proposed by PUD Major Amendment # 1. Major Amendment # 1: (1) Incorporated commercial Development Area C, (2) resized “Villas” lots to 60’ in width to fit specific builder requirements, (3) incorporated both proposed “Villas” neighborhoods into Development Area A and (4) adjusted the northern end of the Development Areas A and B boundary. Major Amendment # 1 and the commercial rezoning (BXZO-21.16) were both recommended for approval by the Bixby Planning Commission July 19, 2021 and approved by the Bixby City Council August 23, 2021 (Ordinance # 2354 with Emergency Clause).

As conditions have changed over the past more than three (3) years, an adjustment is needed to the minimum dwelling sizes within the “Gated Cottage” lots. This PUD Major Amendment # 2 proposes to replace the 1,800 square foot minimum throughout the PUD with a commensurate house size requirement for each neighborhood style, resulting in a weighted average of 1,893 square feet. As demonstrated in the provided Preliminary Plat, this is achieved as follows:

Neighborhood	# Lots	Percent	Dwelling Size	Aggregate SF
Gated Cottage	84	19.2%	1,500	126,000
Villas	169	38.6%	1,800	304,200
Estates	113	25.8%	2,000	226,000
Reserve	72	16.4%	2,400	172,800
Totals	438			829,000
Weighted Average				1,893

While a minimum dwelling size is specified, a statistical analysis of subdivisions in Bixby finds that, according to Tulsa County Assessor’s data, actual dwelling size averages typically exceed minimums by approximately 400 square feet. Minimum dwelling sizes primarily account for smaller market segments with specific house size expectations and demands.

As outlined in the Bixby Zoning Code, this Major Amendment # 2 to BXPUD-21.01 is intended to provide a unified treatment of the development possibilities of the project site, to permit innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties, to permit flexibility within the development to best utilize the unique physical features of the subject property, to provide and preserve meaningful open space, and to achieve a continuity of function and design within the development.

Along with this PUD Major Amendment, a companion application is being filed to approve the revised Preliminary Plat which resulted from Major Amendment # 1.

III. AMENDED DEVELOPMENT STANDARDS

III.A. DEVELOPMENT AREA A:

Minimum Dwelling Size:	1,500 : 2,400 SF ****
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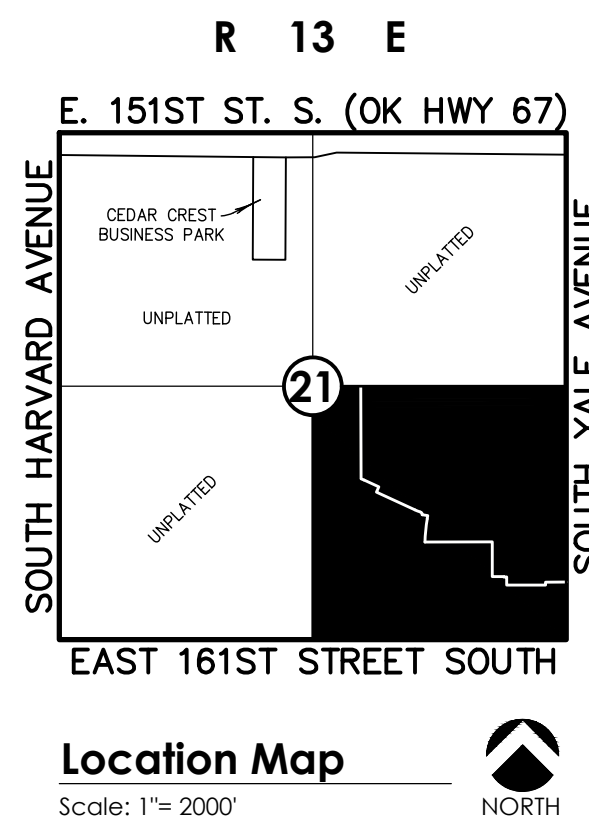
**** Gated Cottage lots: 1,500 SF, Villas lots: 1,800 SF, Estates lots: 2,000 SF, Reserve lots: 2,400 SF.

III.B. DEVELOPMENT AREA B:

Minimum Dwelling Size:	1,500 : 2,400 SF ****
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**** *Gated Cottage lots: 1,500 SF, Villas lots: 1,800 SF, Estates lots: 2,000 SF, Reserve lots: 2,400 SF.*

SUBDIVISION CONTAINS:
FOUR HUNDRED AND THIRTY-NINE (439) LOTS
IN BLOCKS TO BE DETERMINED
WITH RESERVE AREAS:
55 FOOT WIDE LOTS (84)
60 FOOT WIDE LOTS (169)
70 FOOT WIDE LOTS (113)
90 FOOT WIDE LOTS (72)
COMMERCIAL LOT (1)
GROSS SUBDIVISION AREA: 160.422 ACRES

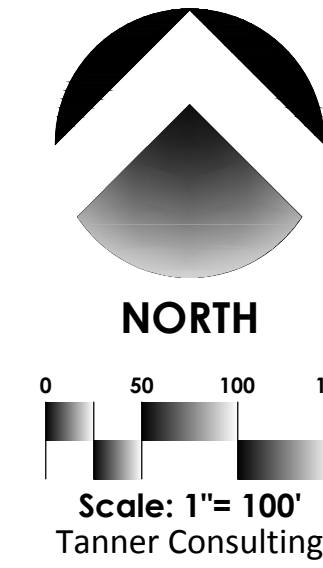


Preliminary Master Plat

BXPUD-21-01-A

DEER VALLEY

ALL OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-ONE (21),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA



LEGEND	
B/L	BUILDING LINE
B/U	BUILDING LINE & UTILITY EASEMENT
BK PG	BOOK & PAGE
CB	CHORD BEARING
CD	CHORD DISTANCE
CL	CENTERLINE
Δ	DELTA ANGLE
DOC	DOCUMENT
ESMT	EASEMENT
F/E	FENCE EASEMENT
GOVT	GOVERNMENT
LNA	LIMITS OF NO ACCESS
PDE	PRIVATE DRAINAGE EASEMENT
RES	RESERVE
R/W	RIGHT-OF-WAY
U/E	UTILITY EASEMENT
9929	ADDRESS ASSIGNED

OWNER:
[Corporate Entity Name]
[CORPORATE ENTITY STATE AND TYPE]
CONTACT: DANIEL RUHL
EMAIL: ASHERHOMES.DR@GMAIL.COM
9128 South Braden Avenue
Tulsa, Oklahoma 74137
Phone: (918) 970-6102

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2025
EMAIL: DAN@TANNERBATHSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

Notes:

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (5501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
(A) MAG NAIL FOUND AT NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 21;
(B) 3/4" IRON PIN FOUND AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 21;
THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 01°09'58" EAST.
- ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
- ACCESS AT THE TIME OF PLAT WAS PROVIDED BY SOUTH YALE AVENUE AND EAST 161ST STREET SOUTH BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.

Preliminary Master Plat

BXPUD-21.01-A

DEER VALLEY

ALL OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-ONE (21),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION & RESTRICTIVE COVENANTS
(CONTINUED)

SECTION III - PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, DEER VALLEY WAS SUBMITTED AS PART OR ALL OF A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD NO. BXPUD-21.01 "THE RETREAT") AS PROVIDED WITHIN TITLE 11 OF THE BIXBY, OKLAHOMA, CITY CODE (BIXBY ZONING CODE), AND

WHEREAS PUD NO. BXPUD-21.01 WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF BIXBY PLANNING COMMISSION ON MARCH 18, 2021, AND APPROVED BY THE BIXBY CITY COUNCIL ON APRIL 12, 2021, THE IMPLEMENTING ORDINANCE NO. 2331 WITH EMERGENCY CLAUSE ATTACHED BEING ADOPTED BY THE COUNCIL APRIL 12, 2021, AND

WHEREAS MAJOR AMENDMENT # 1 TO BXPUD-21.01, BXPUD-21.01-A "DEER VALLEY", WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF BIXBY PLANNING COMMISSION ON JULY 19, 2021, AND APPROVED BY THE BIXBY CITY COUNCIL ON AUGUST 23, 2021, THE IMPLEMENTING ORDINANCE NO. 2354 WITH EMERGENCY CLAUSE ATTACHED BEING ADOPTED BY THE COUNCIL AUGUST 23, 2021, AND

WHEREAS MAJOR AMENDMENT # 2 TO BXPUD-21.01, _____, WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF BIXBY PLANNING COMMISSION ON _____, AND APPROVED BY THE BIXBY CITY COUNCIL ON _____, THE IMPLEMENTING ORDINANCE NO. _____ WITH EMERGENCY CLAUSE ATTACHED BEING ADOPTED BY THE COUNCIL _____, 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, SUFFICIENT TO INSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND ANY AMENDMENTS THERETO, 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 STANDARDS

1. DEVELOPMENT AREA A
GROSS LAND AREA: 2,890,698 SF66.361 AC
NET LAND AREA: 2,890,698 SF66.361 AC
PERMITTED USES: USE UNIT 6 DETACHED SINGLE-FAMILY DWELLINGS AND CUSTOMARY ACCESSORY USES; USE UNIT 5 COMMON AREA FACILITIES SUCH AS NEIGHBORHOOD PARK, PLAYGROUND, AND RECREATIONAL OPEN SPACE.
MAXIMUM NUMBER OF LOTS: 289
MINIMUM LOT WIDTH †: 55 FT
MINIMUM LOT SIZE: 5,500 SF
MINIMUM LAND AREA PER DWELLING UNIT: 8,400 SF *
MAXIMUM BUILDING HEIGHT: 2 STORIES AND 35 FT **
OFF-STREET PARKING AND YARD COVERAGE: MINIMUM TWO (2) ENCLOSED OFF-STREET PARKING SPACES REQUIRED PER DWELLING UNIT. OFF-STREET PARKING SHALL NOT EXCEED 75% OF THE REQUIRED FRONT YARD WIDTH OR AREA.
MINIMUM LIVABILITY SPACE: 2,500 SF *** ††
MINIMUM YARD SETBACKS
FRONT YARD: 20 FT ††
REAR YARD: 15 FT
SIDE YARD (INTERIOR): 5 FT
SIDE YARD ABUTTING A STREET: 10 FT : 20 FT ††

OTHER BULK AND AREA REQUIREMENTS: AS REQUIRED WITHIN THE RS-3 DISTRICT
MINIMUM DWELLING SIZE: 1,500 : 2,400 SF ****
FIRST FLOOR EXTERIOR MATERIALS: 100% MASONRY

* MINIMUM LAND AREA PER DWELLING UNIT IS SATISFIED BY THE PROPORTION OF MAXIMUM NUMBER OF LOTS TO GROSS LAND AREA AS PROVIDED IN ZONING CODE SECTION 11-71-5.A.1. LOTS ARE THEREFORE NOT SUBJECT TO THIS REQUIREMENT ON AN INDIVIDUAL BASIS.
** ARCHITECTURAL FEATURES MAY EXTEND A MAX. OF FIVE (5) FEET ABOVE MAXIMUM PERMITTED BUILDING HEIGHT.
*** LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-71-5.C OF THE BIXBY ZONING CODE.
**** GATED COTTAGE LOTS: 1,500 SF, VILLAS LOTS: 1,800 SF, ESTATES LOTS: 2,000 SF, RESERVE LOTS: 2,400 SF.
† DEFINED AS THE AVERAGE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES, WHICH IS AS IT IS PRESENTLY DEFINED IN THE BIXBY ZONING CODE.
†† SEE SECTION III.A.4. RESIDENTIAL LOT RATIOS AND SUPPLEMENTAL DEVELOPMENT STANDARDS.

2. DEVELOPMENT AREA B
GROSS LAND AREA: 3,958,016 SF90.864 AC
NET LAND AREA: 3,958,016 SF90.864 AC
PERMITTED USES: USE UNIT 6 DETACHED SINGLE-FAMILY DWELLINGS AND CUSTOMARY ACCESSORY USES; USE UNIT 5 COMMON AREA FACILITIES SUCH AS NEIGHBORHOOD PARK, PLAYGROUND, AND RECREATIONAL OPEN SPACE.
MAXIMUM NUMBER OF LOTS: 211
MINIMUM LOT WIDTH †: 60 FT : 90 FT ††
MINIMUM LOT SIZE: 6,900 SF : 12,000 SF ††
MINIMUM LAND AREA PER DWELLING UNIT: 9,600 SF *
MAXIMUM BUILDING HEIGHT: 2 STORIES AND 35 FT **
OFF-STREET PARKING AND YARD COVERAGE: MINIMUM TWO (2) ENCLOSED OFF-STREET PARKING SPACES REQUIRED PER DWELLING UNIT.
MINIMUM LIVABILITY SPACE: 4,000 SF ***

MINIMUM YARD SETBACKS:
FRONT YARD: 20 FT : 25 FT ††
REAR YARD: 20 FT
SIDE YARD (INTERIOR): 5 FT
SIDE YARD ABUTTING A STREET: 10 FT : 20 FT ††
OTHER BULK AND AREA REQUIREMENTS: AS REQUIRED WITHIN THE RS-3 DISTRICT
MINIMUM DWELLING SIZE: 1,500 : 2,400 SF ****
FIRST FLOOR EXTERIOR MATERIALS: 100% MASONRY
* MINIMUM LAND AREA PER DWELLING UNIT IS SATISFIED BY THE PROPORTION OF MAXIMUM NUMBER OF LOTS TO GROSS LAND AREA AS PROVIDED IN ZONING CODE SECTION 11-71-5.A.1. LOTS ARE THEREFORE NOT SUBJECT TO THIS REQUIREMENT ON AN INDIVIDUAL BASIS.
** ARCHITECTURAL FEATURES MAY EXTEND A MAX. OF FIVE (5) FEET ABOVE MAXIMUM PERMITTED BUILDING HEIGHT.
*** LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-71-5.C OF THE BIXBY ZONING CODE.
**** GATED COTTAGE LOTS: 1,500 SF, VILLAS LOTS: 1,800 SF, ESTATES LOTS: 2,000 SF, RESERVE LOTS: 2,400 SF.
† DEFINED AS THE AVERAGE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES, WHICH IS AS IT IS PRESENTLY DEFINED IN THE BIXBY ZONING CODE.
†† SEE SECTION III.A.4. RESIDENTIAL LOT RATIOS AND SUPPLEMENTAL DEVELOPMENT STANDARDS.

3. DEVELOPMENT AREA C
GROSS LAND AREA: 139,277 SF 3.197 AC
NET LAND AREA: 139,277 SF 3.197 AC
PERMITTED USES:
USES PERMITTED AS A MATTER OF RIGHT AND IN THE CS COMMERCIAL SHOPPING CENTER DISTRICT (EXCEPT AS SPECIFIED BELOW); DRY CLEANING/LAUNDRY WITHIN USE UNIT 15; GOLF, FRISBEE GOLF, TENNIS, AND WATER SLIDE USES AND OUTDOOR RECREATION AND AMUSEMENT ACTIVITIES, NEC WITHIN USE UNIT 20; AND USES CUSTOMARILY ACCESSORY TO PERMITTED USES. EXCLUDED USES: ALL USES CLASSIFIED AS "SEXUALLY ORIENTED" WITHIN THE CITY OF BIXBY ZONING CODE (SECTION 11-70-6), MEGA EVENTS, RESIDENTIAL TREATMENT CENTERS, AND TRANSITIONAL LIVING CENTERS WITHIN USE UNIT 5, AND MEDICAL MARIJUANA DISPENSARIES WITHIN USE UNIT 13.

MAXIMUM FLOOR AREA RATIO: 0.50
MAXIMUM BUILDING FLOOR AREA: 69,638 SF
MAXIMUM BUILDING HEIGHT: 2 STORIES OR 40 FT
MINIMUM ARTERIAL STREET FRONTAGE: 100 FT *
MINIMUM NON-ARTERIAL STREET FRONTAGE: 50 FT *
MINIMUM BUILDING SETBACKS:
FROM ARTERIAL STREET RIGHT-OF-WAY: 25 FT
FROM NON-ARTERIAL STREET RIGHT-OF-WAY: 10 FT
FROM DEVELOPMENT AREA A BOUNDARY: 10 FT **
FROM ALL OTHER BOUNDARIES: 0 FT
MINIMUM PARKING RATIO: 1 PER 300 SF BUILDING FLOOR AREA ***
OTHER BULK AND AREA REQUIREMENTS: AS REQUIRED WITHIN CS DISTRICT
* ANY INTERIOR LOT HAVING NO STREET FRONTAGE SHALL BE PROVIDED ACCESS TO A PUBLIC STREET BY ACCESS EASEMENT(S) APPROVED BY THE CITY OF BIXBY DURING PLATTING REVIEW.
** PLUS 2 FEET SETBACK FOR EACH 1 FOOT OF BUILDING HEIGHT EXCEEDING 15 FEET.
*** MINIMUM AND MAXIMUM PARKING MAY BE MODIFIED IF A SITE PLAN IS SUBMITTED TO AND APPROVED BY THE BIXBY PLANNING COMMISSION.

4. RESIDENTIAL LOT RATIOS AND SUPPLEMENTAL DEVELOPMENT STANDARDS
THE FOLLOWING RATIOS AND RESIDENTIAL BULK AND AREA DEVELOPMENT STANDARDS SHALL APPLY:
RESERVE LOTS:
MINIMUM LOT TYPE RATIO: 25% OF DEVELOPMENT AREA B
MAXIMUM LOT TYPE RATIO: 50% OF DEVELOPMENT AREA B
MINIMUM LOT WIDTH: 90 FT
MINIMUM LOT SIZE: 12,000 SF
MINIMUM LIVABILITY OPEN SPACE PER DWELLING: 4,000 SF *
MINIMUM YARD SETBACKS: **
FRONT YARD: 25 FT
REAR YARD: 20 FT
SIDE YARD NOT ABUTTING A STREET: 5 FT
SIDE YARD ABUTTING A STREET:
WHERE REAR YARD BACKS TO SIDE YARD 20 FT
WHERE REAR YARD BACKS TO REAR YARD 15 FT
GARAGE FACING SIDE STREET: 20 FT
* LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-71-5.C OF THE BIXBY ZONING CODE.
** IN THE EVENT PRIVATE STREETS WITH REDUCED RIGHT-OF-WAY WIDTHS ARE PLATTED, SETBACKS FROM STREETS SHALL INCREASE 1 FOOT FOR EACH 2 FEET RIGHT-OF-WAY WIDTH IS REDUCED FROM 50 FEET.

ESTATE LOTS:
MINIMUM LOT TYPE RATIO: 50% OF DEVELOPMENT AREA B
MAXIMUM LOT TYPE RATIO: 75% OF DEVELOPMENT AREA B
MINIMUM LOT WIDTH: 70 FT
MINIMUM LOT SIZE: 9,500 SF
MINIMUM LIVABILITY OPEN SPACE PER DWELLING: 4,000 SF *
MINIMUM YARD SETBACKS: **
FRONT YARD: 25 FT
REAR YARD: 20 FT
SIDE YARD NOT ABUTTING A STREET: 5 FT
* LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-71-5.C OF THE BIXBY ZONING CODE.
** IN THE EVENT PRIVATE STREETS WITH REDUCED RIGHT-OF-WAY WIDTHS ARE PLATTED, SETBACKS FROM STREETS SHALL INCREASE 1 FOOT FOR EACH 2 FEET RIGHT-OF-WAY WIDTH IS REDUCED FROM 50 FEET.

SIDE YARD ABUTTING A STREET:
WHERE REAR YARD BACKS TO SIDE YARD 20 FT
WHERE REAR YARD BACKS TO REAR YARD 15 FT
GARAGE FACING SIDE STREET: 20 FT

* LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-71-5.C OF THE BIXBY ZONING CODE.

** IN THE EVENT PRIVATE STREETS WITH REDUCED RIGHT-OF-WAY WIDTHS ARE PLATTED, SETBACKS FROM STREETS SHALL INCREASE 1 FOOT FOR EACH 2 FEET RIGHT-OF-WAY WIDTH IS REDUCED FROM 50 FEET.

VILLAS LOTS:
MINIMUM LOT TYPE RATIO: 15% OF DEVELOPMENT AREA A
MAXIMUM LOT TYPE RATIO: 65% OF DEVELOPMENT AREA A
MINIMUM LOT WIDTH: 60 FT
MINIMUM LOT SIZE: 6,900 SF
MINIMUM LIVABILITY OPEN SPACE PER DWELLING: 4,000 SF *
MINIMUM YARD SETBACKS: **
FRONT YARD: 20 FT
REAR YARD: 20 FT
SIDE YARD NOT ABUTTING A STREET: 5 FT
SIDE YARD ABUTTING A STREET:
WHERE REAR YARD BACKS TO SIDE YARD: 15 FT
WHERE REAR YARD BACKS TO REAR YARD: 10 FT
GARAGE FACING SIDE STREET: 20 FT
* LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-71-5.C OF THE BIXBY ZONING CODE.
** IN THE EVENT PRIVATE STREETS WITH REDUCED RIGHT-OF-WAY WIDTHS ARE PLATTED, SETBACKS FROM STREETS SHALL INCREASE 1 FOOT FOR EACH 2 FEET RIGHT-OF-WAY WIDTH IS REDUCED FROM 50 FEET.

GATED COTTAGE LOTS:
MINIMUM LOT TYPE RATIO: 35% OF DEVELOPMENT AREA A
MAXIMUM LOT TYPE RATIO: 45% OF DEVELOPMENT AREA B
MINIMUM LOT WIDTH: 55 FT
MINIMUM LOT SIZE: 5,500 SF
MINIMUM LIVABILITY OPEN SPACE PER DWELLING: 2,500 SF *
MINIMUM YARD SETBACKS:
FRONT YARD: 20 FT
REAR YARD: 15 FT
SIDE YARD NOT ABUTTING A STREET: 5 FT
SIDE YARD ABUTTING A STREET:
WHERE REAR YARD BACKS TO SIDE YARD: 15 FT (NO ATTACHED GARAGE SHALL FACE SIDE STREET)
WHERE REAR YARD BACKS TO REAR YARD: 10 FT (NO ATTACHED GARAGE SHALL FACE SIDE STREET)

* EACH LOT SHALL CONTAIN NOT LESS THAN 2,200 SF OF LIVABILITY OPEN SPACE. THE BALANCE REQUIRED SHALL BE ESTABLISHED BY PLAT WITHIN RESERVE AREAS WITH RESTRICTIVE COVENANTS PRESERVING THE AREAS AS PERPETUAL OPEN SPACE AND GUARANTEEING ACCESS TO ALL GATED COTTAGE LOTS.

5. ACCESS AND CIRCULATION
STREETS SERVING DEER VALLEY ARE PROPOSED TO BE PUBLIC, WITH THE EXCEPTION OF THE GATED COTTAGE LOT NEIGHBORHOOD AND CERTAIN OTHER NEIGHBORHOODS, WHICH WILL BE SERVED BY PRIVATE, GATED STREETS. AS PHASES DEVELOP, HOWEVER, ALL NEIGHBORHOODS WILL HAVE THE OPTION OF PRIVATE, GATED STREETS, PER THIS PUD. COLLECTOR STREETS WILL NOT BE GATED. WHETHER PUBLIC OR PRIVATE, STREETS SHALL BE CONSTRUCTED TO MEET THE MINIMUM STANDARDS OF THE CITY OF BIXBY FOR MINOR PUBLIC STREETS; PROVIDED, HOWEVER, THE CITY OF BIXBY MAY APPROVE ALTERNATIVE STREET DESIGN STANDARDS THROUGH PLATTING INCLUDING, BUT NOT LIMITED TO, PRIVATE, GATED STREETS WITH REDUCED RIGHT-OF-WAY WIDTH AND NO SIDEWALKS, OR SIDEWALKS ON ONE SIDE OF THE STREET. ANY DIVIDED, BOULEVARD STREETS SEPARATED BY PRIVATE LANDSCAPED ISLANDS MAY HAVE ONE-WAY LANES MEETING RIGHT-OF-WAY WIDTH REQUIREMENTS IN AGGREGATE AND SHALL OTHERWISE BE CONSTRUCTED TO MEET THE MINIMUM STANDARDS DETERMINED BY THE CITY OF BIXBY DURING THE PLATTING STAGE. ANY GATES SERVING PRIVATE STREETS OR DRIVES SHALL BE DESIGNED ACCORDING TO THE FIRE CODE ADOPTED BY THE CITY OF BIXBY AND BE APPROVED BY THE BIXBY FIRE MARSHAL DURING THE PLATTING STAGE.

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

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

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

NO BUILDING PERMIT SHALL BE ISSUED WITHIN DEVELOPMENT AREA C UNTIL A SITE PLAN HAS BEEN SUBMITTED TO AND APPROVED BY THE CITY OF BIXBY STAFF AS BEING IN COMPLIANCE WITH THIS PUD.

WHEN FULLY PLATTED, NOT LESS THAN 15% OR 24 ACRES OF DEER VALLEY SHALL BE PRESERVED AS OPEN SPACE FOR THE ENJOYMENT OF THE RESIDENTS.

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

SECTION IV - PROPERTY OWNERS' ASSOCIATION

A. FORMATION OF PROPERTY OWNERS' ASSOCIATION

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED, IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AN ASSOCIATION OF ALL OWNERS OF LOTS WITHIN DEER VALLEY (THE "PROPERTY OWNERS' ASSOCIATION" OR THE "ASSOCIATION"), A NOT-FOR-PROFIT CORPORATE ENTITY ESTABLISHED AND FORMED FOR THE GENERAL PURPOSES OF MAINTAINING PROPERTY AND FACILITIES INCLUDING BUT NOT LIMITED TO RESERVE AREAS, STORMWATER DRAINAGE AND DETENTION FACILITIES, ENTRY FEATURES, LANDSCAPING, AND OTHER COMMON AREAS AND IMPROVEMENTS THAT ARE OR FROM TIME TO TIME MAY BE FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION, AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION, AND FOR ENHANCING THE VALUE, DESIRABILITY, AND ATTRACTIVENESS OF THE SUBDIVISION AND OF ANY OTHER SUBDIVISION WHICH MAY SUBSEQUENTLY BE MERGED WITH OR ANNEXED TO THE GEOGRAPHIC JURISDICTION OF THE PROPERTY OWNERS' ASSOCIATION BY THE OWNER/DEVELOPER OR THE ASSOCIATION.

B. MEMBERSHIP

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

C. ASSESSMENT

EACH OWNER OF A LOT, BY ACCEPTANCE OF A DEED THEREFOR, COVENANTS AND AGREES TO PAY TO THE ASSOCIATION ANNUAL AND SPECIAL ASSESSMENTS FOR THE PURPOSE OF IMPROVEMENT AND MAINTENANCE OF RESERVE AREAS AND ANY OTHER PROPERTY AND FACILITIES THAT ARE OR FROM TIME TO TIME MAY BE FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION. ALL UNPAID ASSESSMENTS SHALL BE A LIEN UPON THE LOT(S) AGAINST WHICH IT IS MADE.

D. ASSOCIATION TO BE BENEFICIARY

THE ASSOCIATION SHALL BE DEEMED A BENEFICIARY OF THE VARIOUS COVENANTS SET FORTH WITHIN THIS DEED OF DEDICATION TO THE SAME EXTENT AS ALL OTHER BENEFICIARIES THEREOF, INCLUDING THE OWNER/DEVELOPER, EACH LOT OWNER, THE CITY, AND THE SUPPLIER OF ANY UTILITY OR OTHER SERVICE WITHIN THE SUBDIVISION, ALL AS PROVIDED FOR WITHIN THIS DEED OF DEDICATION, AND SHALL HAVE THE RIGHT TO ENFORCE THESE COVENANTS AND AGREEMENTS.

E. EXPANSION RIGHTS OF THE ASSOCIATION

THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO ADD ADDITIONAL LAND TO THE PROPERTY OWNERS' ASSOCIATION TO SHARE IN BOTH USE AND COSTS OF STORMWATER DRAINAGE AND DETENTION FACILITIES LOCATED WITHIN RESERVE AREAS, AND OTHER COMMON AREAS OR IMPROVEMENTS THAT ARE OR FROM TIME TO TIME MAY BE FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE LOTS WITHIN THE SUBDIVISION OR OTHER ADDITIONAL LANDS WHICH MAY BE ANNEXED TO OR MERGED WITH THE GEOGRAPHIC JURISDICTION OF THE ASSOCIATION. ADDITIONAL LAND CAN ONLY BE ADDED BY THE EXPRESS CONSENT OF THE ORIGINAL OWNER/DEVELOPER, UNTIL SUCH TIME AS THE OWNER/DEVELOPER RELINQUISHES THIS RIGHT TO THE PROPERTY OWNERS' ASSOCIATION BY INSTRUMENT DULY FILED OF RECORD. UPON ADDITION OF LAND AS PROVIDED HEREIN, THE OWNERS OF SUCH LAND SHALL BE PERMITTED ALL RIGHTS, PRIVILEGES, AND RESPONSIBILITIES OF THE PROPERTY OWNERS' ASSOCIATION.

SECTION V - ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION,
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 STREETS, EASEMENTS, AND UTILITIES, SECTION I RESERVE AREAS, AND SECTION III PLANNED UNIT DEVELOPMENT RESTRICTIONS ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTIONS I, II, AND III, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA.

B. DURATION

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

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I STREETS, EASEMENTS, AND UTILITIES AND SECTION II RESERVE AREAS, AND SECTION V ENFORCEMENT, DURATION, AMENDMENT OR

TERMINATION, AND SEVERABILITY 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, AND THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION III PLANNED UNIT DEVELOPMENT MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BIXBY PLANNING COMMISSION OR ITS SUCCESSORS. NOTWITHSTANDING THE FOREGOING, THE COVENANTS CONTAINED WITHIN SECTION III PLANNED UNIT DEVELOPMENT RESTRICTIONS SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF A MINOR AMENDMENT TO BXPUD-21.01-A BY THE BIXBY PLANNING COMMISSION AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE BIXBY PLANNING COMMISSION WITH THE TULSA COUNTY CLERK, OR UPON APPROVAL OF A MAJOR AMENDMENT TO BXPUD-21.01-A UPON FILING OF RECORD AN ORDINANCE AND/OR OTHER VALID RECORD OF CITY OF BIXBY APPROVAL. THE COVENANTS CONTAINED WITHIN ANY OTHER SECTION OF THIS DEED OF DEDICATION 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 IS THE RECORD OWNER OF AT LEAST 1 LOT, OR ALTERNATIVELY, BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF AT LEAST 60% OF THE LOTS WITHIN THE SUBDIVISION. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER/DEVELOPER (DURING ITS OWNERSHIP OF AT LEAST 1 LOT) AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF AT LEAST 60% OF THE LOTS, THE INSTRUMENT EXECUTED BY THE OWNER SHALL PREVAIL. 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.

N WITNESS WHEREOF, THE UNDERSIGNED OWNER HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS _____ DAY OF _____, 2025.

[CORPORATE ENTITY NAME]

[CORPORATE ENTITY STATE AND TYPE]

BY: _____

[NAME], [TITLE]

STATE OF OKLAHOMA)

) SS

COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2025, PERSONALLY APPEARED [NAME], TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF [CORPORATE ENTITY NAME] TO THE FOREGOING INSTRUMENT, AS ITS [TITLE], AND ACKNOWLEDGED TO ME THAT _____ EXECUTED THE SAME AS _____ FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

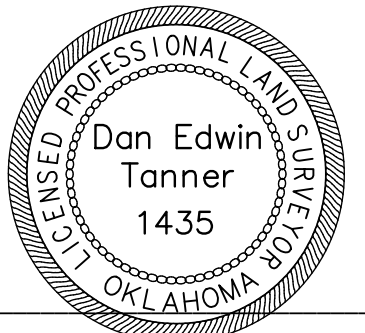
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

CERTIFICATE OF SURVEY

I, DAN E. TANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED AS "DEER VALLEY", A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

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



BY: _____

DAN E. TANNER
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1435

STATE OF OKLAHOMA)

) SS

COUNTY OF TULSA)

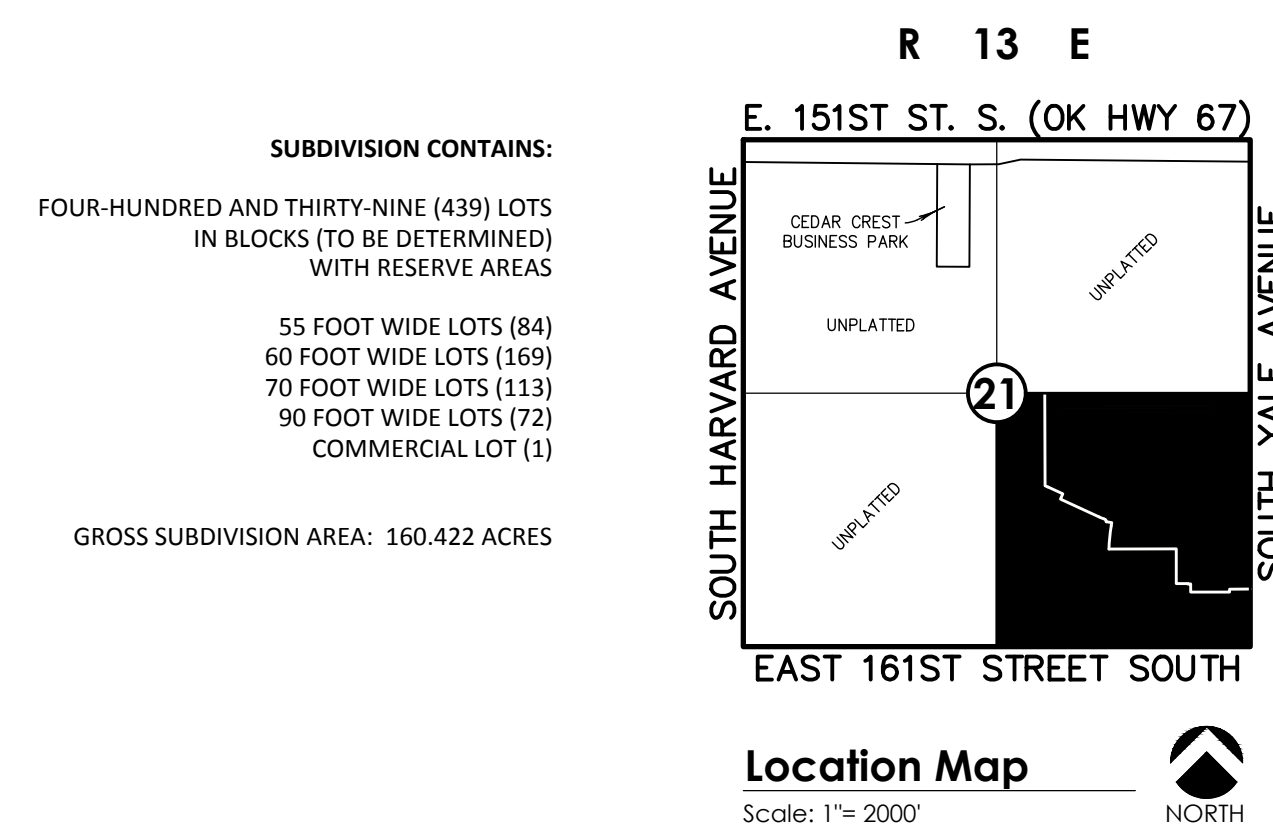
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2025, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING CERTIFICATE AS LICENSED PROFESSIONAL LAND SURVEYOR, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH. GIVEN UNDER MY HAND AND SEAL OF OFFICE THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

DATE OF PREPARATION: November 5, 2024

Deer Valley
SHEET 3 OF 3

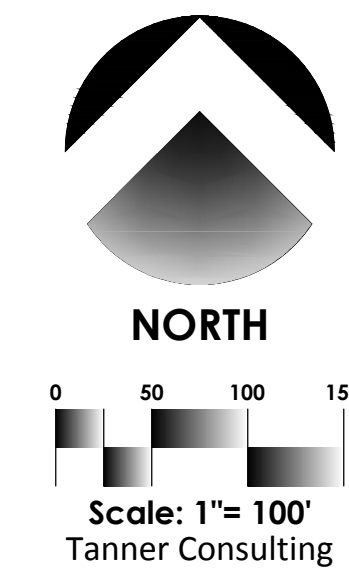


Conceptual Utility Plan

BXPUD-21-01-A

DEER VALLEY

ALL OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-ONE (21),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

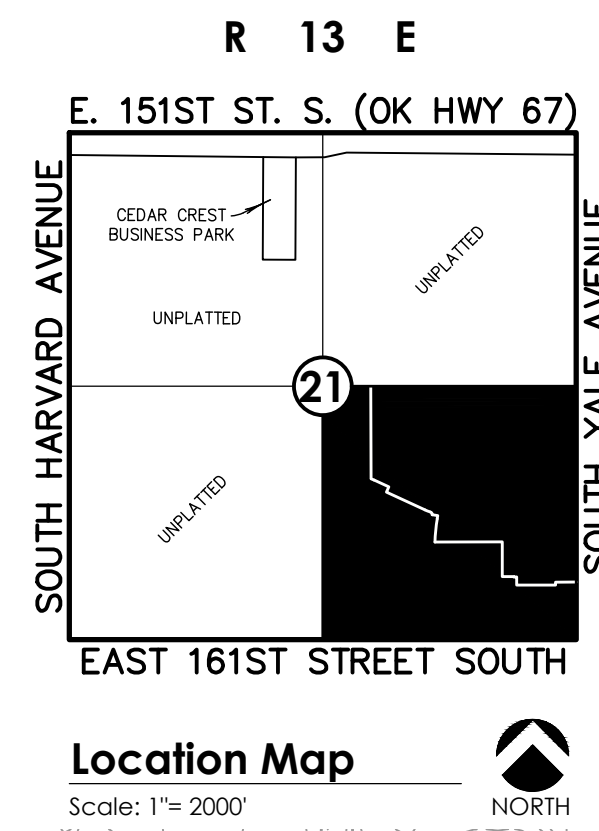


- LEGEND
- B/L BUILDING LINE
 - B/L & U BUILDING LINE & UTILITY EASEMENT
 - BK PG BOOK & PAGE
 - CD CHORD DISTANCE
 - CD CHORD BEARING
 - DELTA ANGLE
 - DOC DOCUMENT
 - ESMT EASEMENT
 - F/E FENCE EASEMENT
 - GOV/T GOVERNMENT
 - LNA LIMITS OF NO ACCESS
 - ODE OVERLAND DRAINAGE EASEMENT
 - R RADIUS
 - RES. RESERVE
 - R/W RIGHT-OF-WAY
 - U/E UTILITY EASEMENT
 - W/2 ADDRESS ASSIGNED
 - FOUND MONUMENT
 - SET MONUMENT
 - FIRE HYDRANT
 - SANITARY SEWER MANHOLE
 - STORM SEWER INLET

OWNER:
[Corporate Entity Name]
[CORPORATE ENTITY STATE AND TYPE]
CONTACT: DANIEL RUHL
EMAIL: ASHERHOMES.DR@GMAIL.COM
9128 South Braden Avenue
Tulsa, Oklahoma 74137
Phone: (918) 970-6102

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2561, EXPIRES 8/30/2025
EMAIL: DAN@TANNERBATHSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

SUBDIVISION CONTAINS:
FOUR-HUNDRED AND THIRTY-NINE (439) LOTS
IN BLOCKS (TO BE DETERMINED)
WITH RESERVE AREAS
55 FOOT WIDE LOTS (84)
60 FOOT WIDE LOTS (169)
70 FOOT WIDE LOTS (113)
90 FOOT WIDE LOTS (72)
COMMERCIAL LOT (1)
GROSS SUBDIVISION AREA: 160.422 ACRES

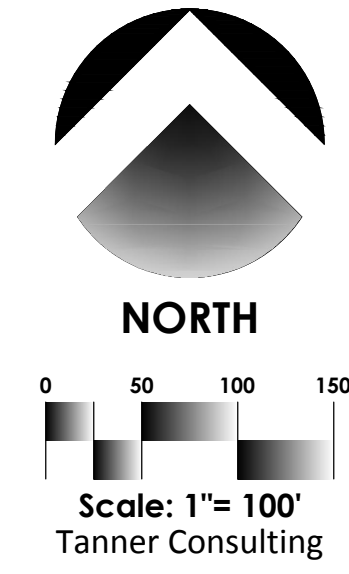


Conceptual Utility Plan

BXPUD-21-01-A

DEER VALLEY

ALL OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-ONE (21),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA



- LEGEND
- B/L BUILDING LINE & UTILITY EASEMENT
 - BK PG BOOK & PAGE
 - CD CHORD DISTANCE
 - Δ DELTA ANGLE
 - DOC DOCUMENT
 - ESMT EASEMENT
 - F/E FENCE EASEMENT
 - GOVT GOVERNMENT
 - LNA LIMITS OF NO ACCESS
 - ODE OVERLAND DRAINAGE EASEMENT
 - R RADIUS
 - RES. RESERVE
 - R/W RIGHT-OF-WAY
 - U/E UTILITY EASEMENT
 - W/2 ADDRESS ASSIGNED
 - FOUND MONUMENT
 - SET MONUMENT
 - FIRE HYDRANT
 - SANITARY SEWER MANHOLE
 - STORM SEWER INLET

OWNER:
[Corporate Entity Name]
[CORPORATE ENTITY STATE AND TYPE]
CONTACT: DANIEL RUHL
EMAIL: ASHERHOMES.DR@GMAIL.COM
9128 South Braden Avenue
Tulsa, Oklahoma 74137
Phone: (918) 970-6102

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2561, EXPIRES 8/30/2025
EMAIL: DAN@TANNERBATHSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



CITY OF BIXBY
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

STAFF REPORT

To: Bixby Planning Commission

From: Joey Wiedel, Interim City Manager
Gladys Gill, Assistant Planner I

Date: December 16, 2024

RE: Bixby Meadows II

COMP PLAN AMENDMENT | (BXCP-24.04)

RE-ZONE | (BXZO-24.07) to Residential Single-family (RS-2.5)

PLANNED UNIT DEVELOPMENT | (BXPUD-24.08)

Applicant: AAB Engineering, LLC

REQUEST: The applicant is requesting a rezone (BXZO-24.07) from Residential Single-Family (RS-2), Commercial Shopping (CS), and Residential Duplex (RD) to Residential Single-Family (RS-2.5) with an accompanying Planned Unit Development (BXPUD-24.08). Additionally, a Comprehensive Plan Amendment (BXCP-24.04) is being proposed to align future land use designations with the new zoning.

LOCATION: Northeast corner of West 161st Street South and South Harvard Avenue.

EXISTING ZONING: (RS-2) Residential Single-Family, (CS) Commercial Shopping, and (RD) Residential Duplex

PROPOSED ZONING: (RS-2.5) Residential Single-Family with supplemental PUD.

PROJECT SUMMARY:

The applicant proposes the development of Bixby Meadows II, a residential community encompassing approximately 125.9 acres. This Planned Unit Development (PUD) will include a maximum of 275 lots designed to RS-2.5 standards with few exceptions, as detailed below:

- **Gross Land Area:** 5,483,985 sq. ft. (125.89 acres)
- **Minimum Lot Width:** 70 ft.
- **Minimum Lot Area:** 8,400 sq. ft.
- **Maximum Building Height:** 48 ft.
- **Setbacks:** Front – 25 ft., Rear – 25 ft., Side – 5 ft. (both sides).

Reserve Areas:

- **Reserve Areas A & B:** Dedicated for stormwater detention and open space parks, maintained by the Homeowners Association (HOA).
- **Reserve Area C:** Includes a creek and serves as an open space park, also maintained by the HOA.

Drainage & Utilities:

- Two detention facilities will be constructed to reduce peak runoff rates to pre-development levels.
- Waterlines will be extended to ensure fire protection and service.
- An 18-inch sanitary sewer line will be extended to serve the development.

Access and Circulation:

- Streets within the development will be public, with primary access via South Harvard Avenue.

Landscaping and Screening:

- Perimeter fencing along South Harvard Avenue and East 161st Street will consist of wood, masonry, wrought iron, or a combination thereof.

Architectural Standards:

- Homes will have a minimum square footage of 2,400 sq. ft. (2,000 sq. ft. minimum for the first floor).
- 75% masonry coverage required for all homes, excluding windows, porches, and patios.

Environmental Considerations:

- The site's natural slope facilitates drainage toward Posey Creek.
- On-site soils are well-drained and suitable for construction.

Development Schedule:

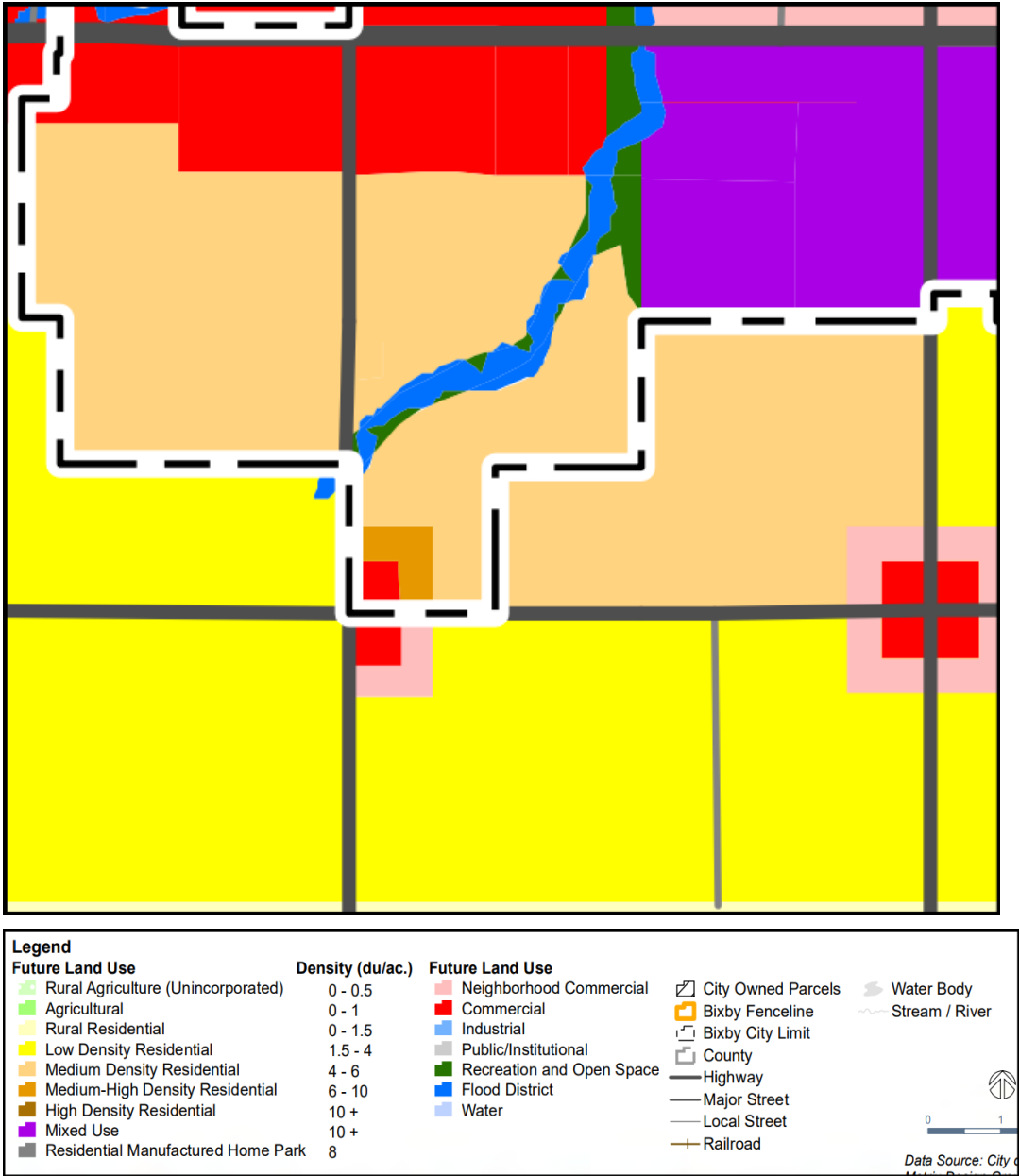
- Construction is anticipated to begin in late fall or early winter 2025.

Figure 1: Conceptual Site Plan



EXISTING COMPREHENSIVE PLAN:

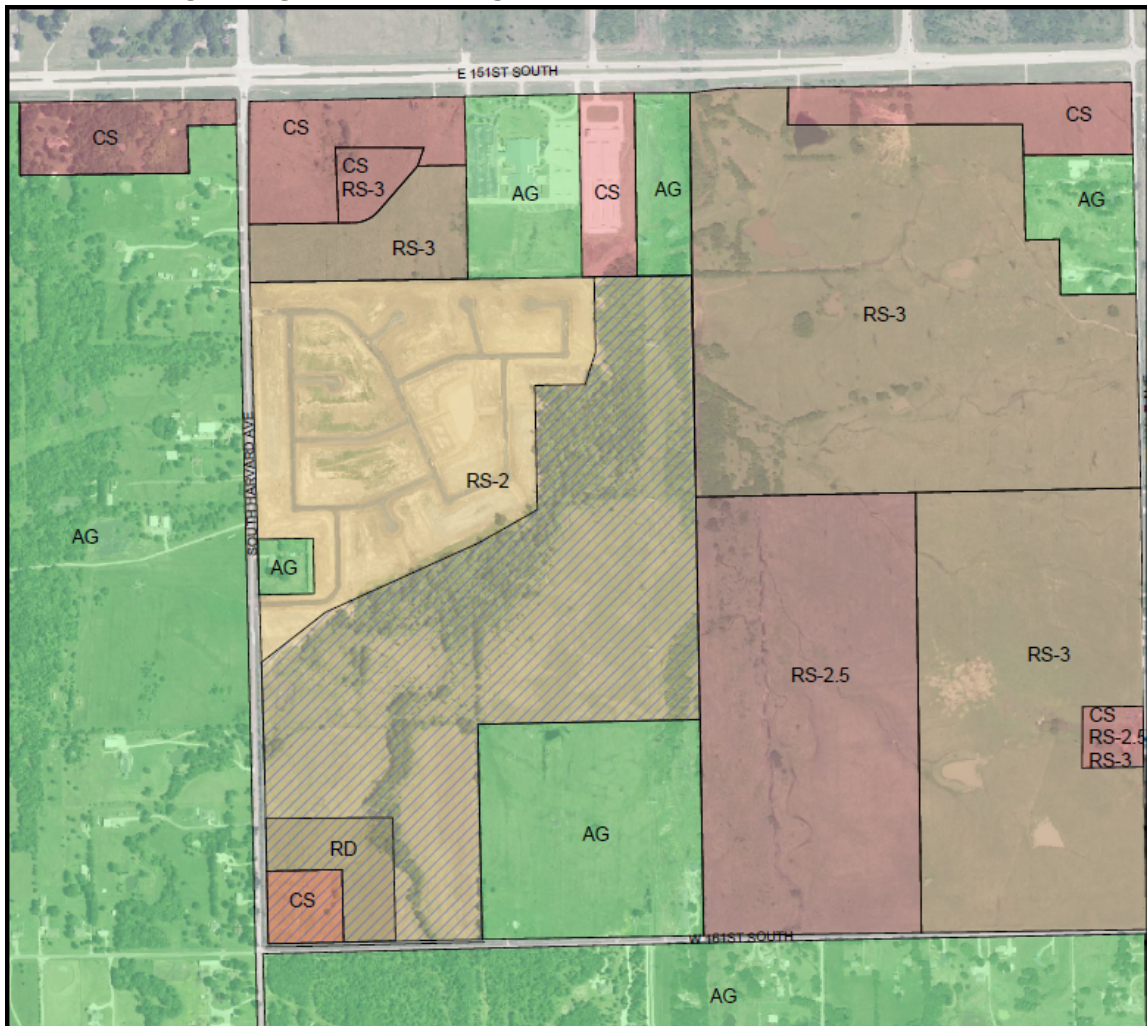
Figure 2: Comprehensive Plan 2030 Future Land Use Designation



SURROUNDING ZONING AND LAND USE:

North: (AG) Agriculture, (RS-3) Residential Single-Family, (CS) Commercial Shopping
South: (AG) Agriculture
East: (RS-3) Residential Single-Family, (RS-2.5) Residential Single-Family
West: (AG) Agriculture, (RS-2) Residential Single-Family

Figure 3: Existing zoning for surrounding areas.



UTILITIES AND DRAINAGE:

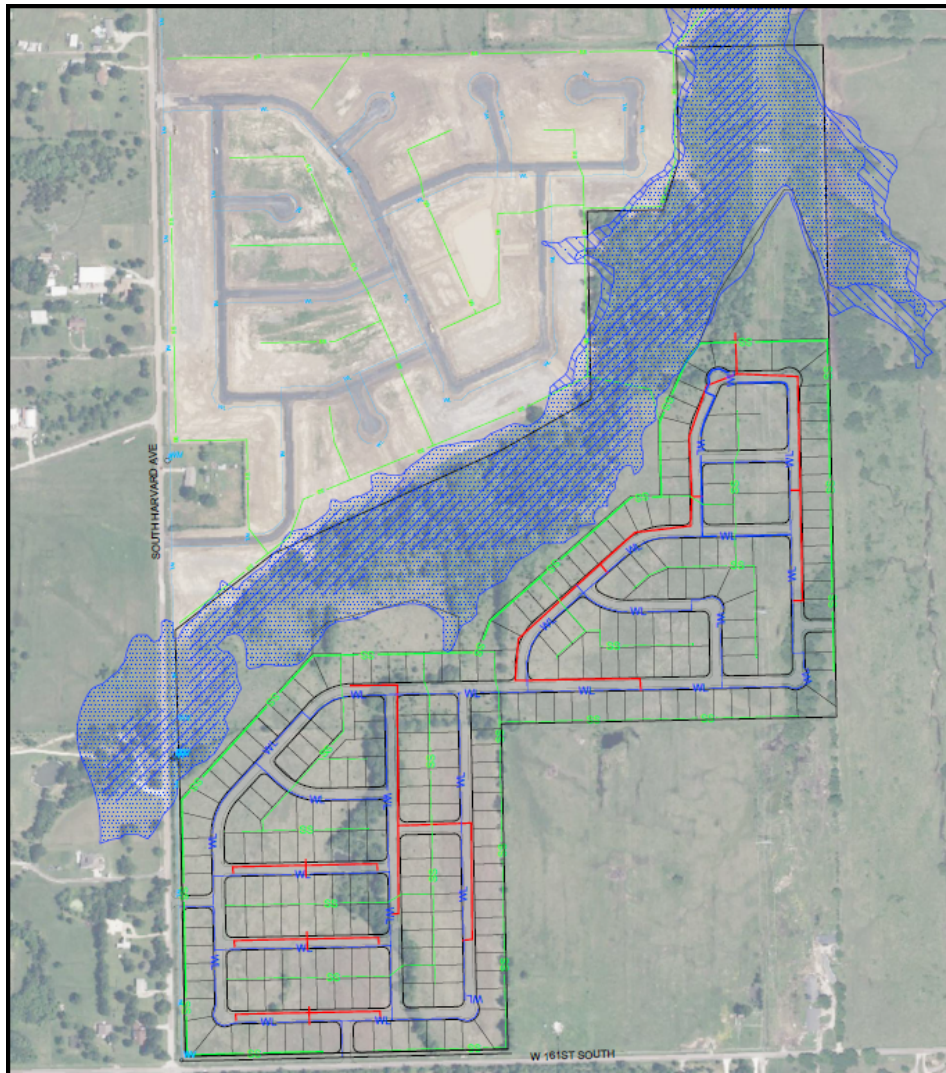
Three existing waterlines run adjacent to the property. Two waterlines run north and south along the subdivision adjacent to Harvard Avenue. A third waterline runs east and west along the subdivision adjacent to 161st Street. A waterline extension will be constructed by connecting the existing waterlines to provide fire protection and water service for the development.

An 18" sanitary sewer line was extended to the northern boundary of the development during the first phase of construction. This line will be extended into the current development to serve the site as required by the City of Bixby. The sanitary sewer line will service along the back of the proposed lots.

Most of the development drains to the north toward an unnamed tributary of Posey Creek. Most of the developed water will be routed through one of the two detention facilities along the tributary and then discharged directly to the floodplain area. The detention facility will be designed to reduce peak runoff rates to that of pre-developed conditions as required by the City of Bixby Engineering Design Criteria.

Other utility services are currently provided to the site and will continue to be provided via underground services.

Figure 4: Existing and Proposed Utilities



PUBLIC INPUT:

No public comments were received at the time of writing this report.

ENGINEERING COMMENTS:

No comments were received at the time of writing this report.

STAFF COMMENTS:

Staff has reviewed the proposed Bixby Meadows II PUD, and has determined that it complies with the relevant approval criteria outlined in the City of Bixby Zoning Code and aligns with the objectives outlined in the Comprehensive Plan. The comments below are contingent upon the approval of the accompanying rezoning application (BXZO 24.07). The comments are listed as follows:

1. All development activities conducted under this PUD shall comply with the recommendations outlined by the Bixby Fire Marshal, City Engineer, and City Attorney.
2. Staff recommends setting rear yard setbacks at a minimum of 17.5 feet to accommodate utility easements.

FIGURES:

- Figure 1: Conceptual Site Plan
- Figure 2: Comprehensive Plan 2030
- Figure 3: Existing Zoning
- Figure 4: Existing and Proposed Utilities

ATTACHMENTS:

Attachment 1: Planned Unit Development Booklet, Dated December 12, 2024

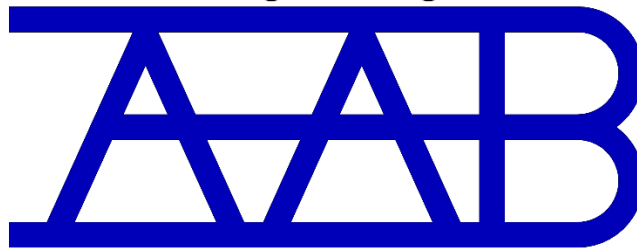
Bixby Meadows II

**Planned Unit Development No. BXPUD-24.08
Zoning Case No. BXZO-24.07**

December 12, 2024

**Owner:
Shaw Homes Oklahoma, Inc.
1420 W. Kenosha St.
Broken Arrow, OK 74012**

**Prepared By:
AAB Engineering, LLC**



Engineering • Surveying • Land Planning

PO Box 2136 Sand Springs, OK 74063
Office: (918) 514-4283 Fax: (918) 514-4288

Development Concept

Bixby Meadows is a proposed residential community on the northeast corner of West 161st Street South Harvard Avenue in the City of Bixby, Oklahoma. Exhibit "B" shows the surrounding areas of the PUD. The PUD is a Planned Unit Development overlay of a proposed RS-2.5 zoned parcel; see Exhibit "C" for the proposed zoning overlaid on the existing zoning map. The project will be developed along RS-2.5 bulk and area requirements with very few exceptions. The PUD is an approximately 125.9 acres development with a single development area as conceptual depicted on Exhibit "D". The legal description for the PUD is shown on Exhibit "A".

A maximum of 275 lots is proposed for this PUD. The proposed project will utilize the flexibility offered in the Planned Unit Development provisions of the Bixby Zoning Code while placing restrictions on the development that ensure development quality.

Development pursuant to this PUD shall comply with all recommendations of the Bixby Fire Marshal, City Engineer, and City Attorney.

Development Standards (Development Area B)

Gross Land Area 5,483,985 sq. ft. 125.89 ac

Permitted Uses

Uses permitted as a matter of right by the City of Bixby Zoning Code within the RS-2.5 district, including all uses customarily accessory thereto.

Minimum Lot Width 70 ft.

Minimum Land Area 9,600 sf.

Minimum Lot Area 8,400 sf.

Minimum Livability Space 4,000 sf.

Maximum Number of Lots

Minimum Setbacks

Front yards	25 ft.
Rear yards	25 ft.
Side yard (Both Sides)	5 ft.

Maximum Building Height: 48 ft.

Reserve Area ‘A’ & ‘B’

Reserve Areas ‘A’ & ‘B’ shall be established by the owner for the construction of stormwater detention facilities and open space park. Such parks shall be for the sole use and enjoyment of the lot owners with Bixby Meadows II and their invitees. All structures or improvements related to the detention function of the facility shall be constructed according to City of Bixby standards. Livability space within Reserve Area ‘A’ & ‘B’ may be allocated to any lot or lots within the subdivision. Both reserve areas shall be conveyed to the Homeowner’s Association which shall be responsible for the maintenance of all improvements contained within that reserve.

Reserve ‘C’

Reserve Area ‘C’ shall be established by the owner for conveyance of stormwater runoff through the creek and open space park. Livability space within Reserve Area ‘C’ may be allocated to any lot or lots within the subdivision. Reserve Areas ‘C’ shall be conveyed to the Homeowner’s Association which shall be responsible for the maintenance of all improvements contained within that reserve.

Drainage & Utilities

The majority of the development drains to the north toward an unnamed tributary of Posey Creek. Most of the developed water will be routed through one of the two detention facilities along the tributary and then discharged directly to the floodplain area. The detention facility will be designed to reduce peak runoff rates to that of pre-developed conditions as required by the City of Bixby Engineering Design Criteria.

Three existing waterlines run adjacent to the property. Two waterlines run north and south along the subdivision adjacent to Harvard Avenue. A third waterline runs east and west along the subdivision adjacent to 161st Street. A waterline extension will be constructed through the development connecting the existing waterlines to provide fire protection and water service for the development.

An 18" sanitary sewer line was extended to the northern boundary of the development during the first phase of construction. This line will be extended into the current development to serve the site as required by the City of Bixby. The sanitary sewer line will service along the back of the proposed lots.

Other utility services are currently provided to the site and will continue to be provided via underground services. See attached Exhibit "F" for the conceptual improvements plan.

Access and Circulation

All streets within the development will be public and will largely conform with the attached conceptual site plan. The primary entry to the subdivision will be derived from South Harvard Avenue as shown.

Landscape and Screening

Interior fencing and/or walls shall not extend beyond that point nearest the street at each end corner of the residence. Fencing along South Harvard Avenue and East 161st Street shall be 6' feet in height and consist of wood, masonry or wrought iron material or a combination thereof. All such fencing shall be contained within a Fence Easement or Reserve by the plat of "Bixby Meadows".

Architectural Requirements

All homes constructed within the development shall have a minimum square footage of 2,400 square feet with a minimum first floor square footage of 2,000 square feet. All homes shall be constructed of 75% masonry to the first-floor top plate, excluding windows, covered porches, and patios.

Requirement to Plat

No building permit shall be issued until a plat containing restrictive covenants memorializing the above development standards is prepared and filed in accordance with the City of Bixby Subdivision Regulations.

Environmental Analysis

The site generally slopes from the southwest to northeast. The Tulsa County Soils survey defines the onsite soils as Dennis silt loam (36.6%) of varying grades, Okemah-Parsons-Pharoah complex (20.8%), Dennis-Pharoah complex (14.9%), Dennis-Radley complex (2.1%) of varying grades, Okemah silt loam (8.3%), and Radley silt loam (17.4%). These soils are typically well drained and provide little issue to construction of a project as proposed.

The attached Exhibit "E" depicts an aerial of the existing site as well as topography.

Schedule of Development

Development Construction is expected to begin in late fall or early winter 2025.

Exhibit "A"

A TRACT OF LAND LOCATED IN THE PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-ONE (21), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

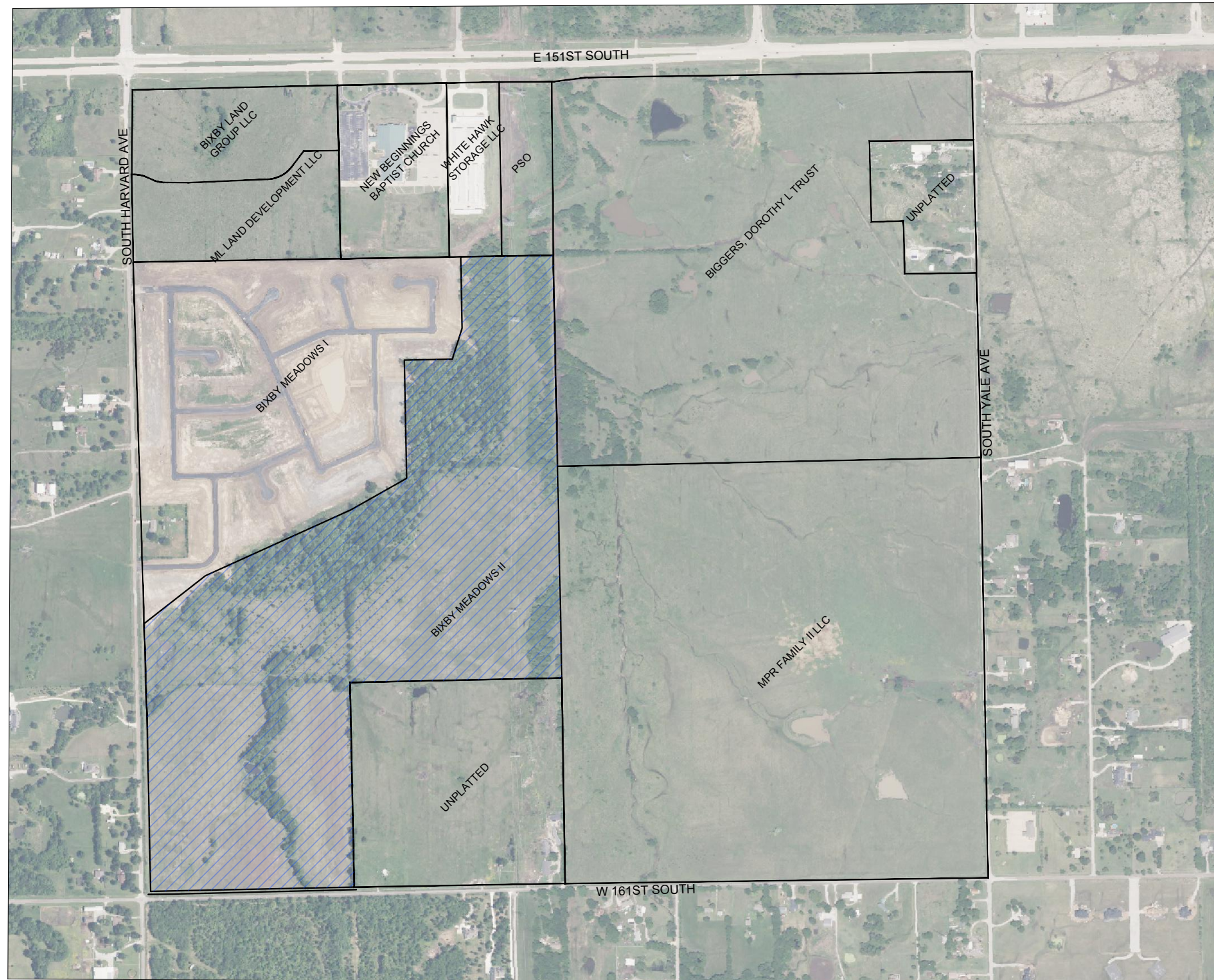
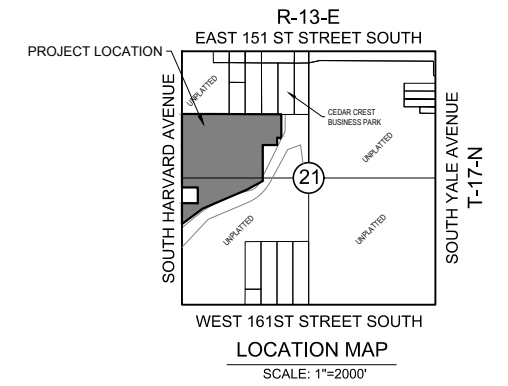
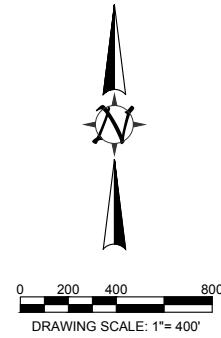
BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION TWENTY-ONE (21), THENCE NORTH 01°10'21" WEST ALONG THE WEST LINE THEREOF, A DISTANCE OF 1,694.75 FEET TO THE SOUTHWEST CORNER OF BIXBY MEADOWS AMENDED, DOCUMENT NO. 7101; THENCE NORTH 52°01'57" EAST ALONG THE SOUTHERLY LINE OF SAID BIXBY MEADOWS AMENDED, A DISTANCE OF 540.61 FEET; THENCE NORTH 65°37'56" EAST CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 1,000.00 FEET; THENCE NORTH 60°32'17" EAST CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 399.92 FEET TO THE SOUTHEAST CORNER OF SAID BIXBY MEADOWS AMENDED; THENCE NORTH 01°09'56" WEST ALONG THE EASTERLY LINE THEREOF, A DISTANCE OF 739.23 FEET; THENCE NORTH 88°50'04" EAST CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 300.00 FEET; THENCE NORTH 17°38'45" EAST CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 203.48 FEET; THENCE NORTH 01°09'56" WEST CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 446.16 FEET TO THE NORTHEAST CORNER OF SAID BIXBY MEADOWS AMENDED; THENCE NORTH 89°05'18" EAST, A DISTANCE OF 578.62 FEET TO THE EAST LINE OF THE WEST HALF (W/2) OF SECTION TWENTY-ONE (21); THENCE SOUTH 01°09'55" EAST ALONG SAID EAST LINE, A DISTANCE OF 2,643.72 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 SW/4); THENCE SOUTH 88°48'05" WEST ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 1,324.15 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SW/4); THENCE SOUTH 01°10'08" EAST ALONG THE EAST LINE THEREOF, A DISTANCE OF 1,328.06 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SW/4); THENCE SOUTH 88°36'55" WEST ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 1,324.08 FEET TO THE POINT OF BEGINNING. CONTAINING 5,483,985 SQUARE FEET OR 125.89 ACRES MORE OR LESS.

LEGAL DESCRIPTION BASIS OF BEARINGS IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NORTH ZONE 3501 WITH THE WEST LINE OF THE SOUTHWEST QUARTER (SW/4) BEING NORTH 01°10'21" WEST.

Exhibit B

Surrounding Areas
for

Bixby Meadows II

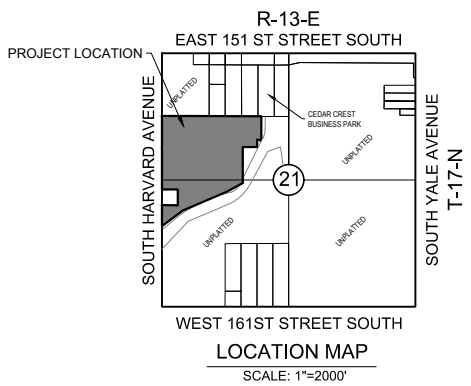
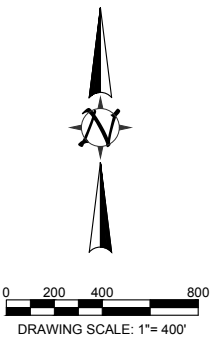


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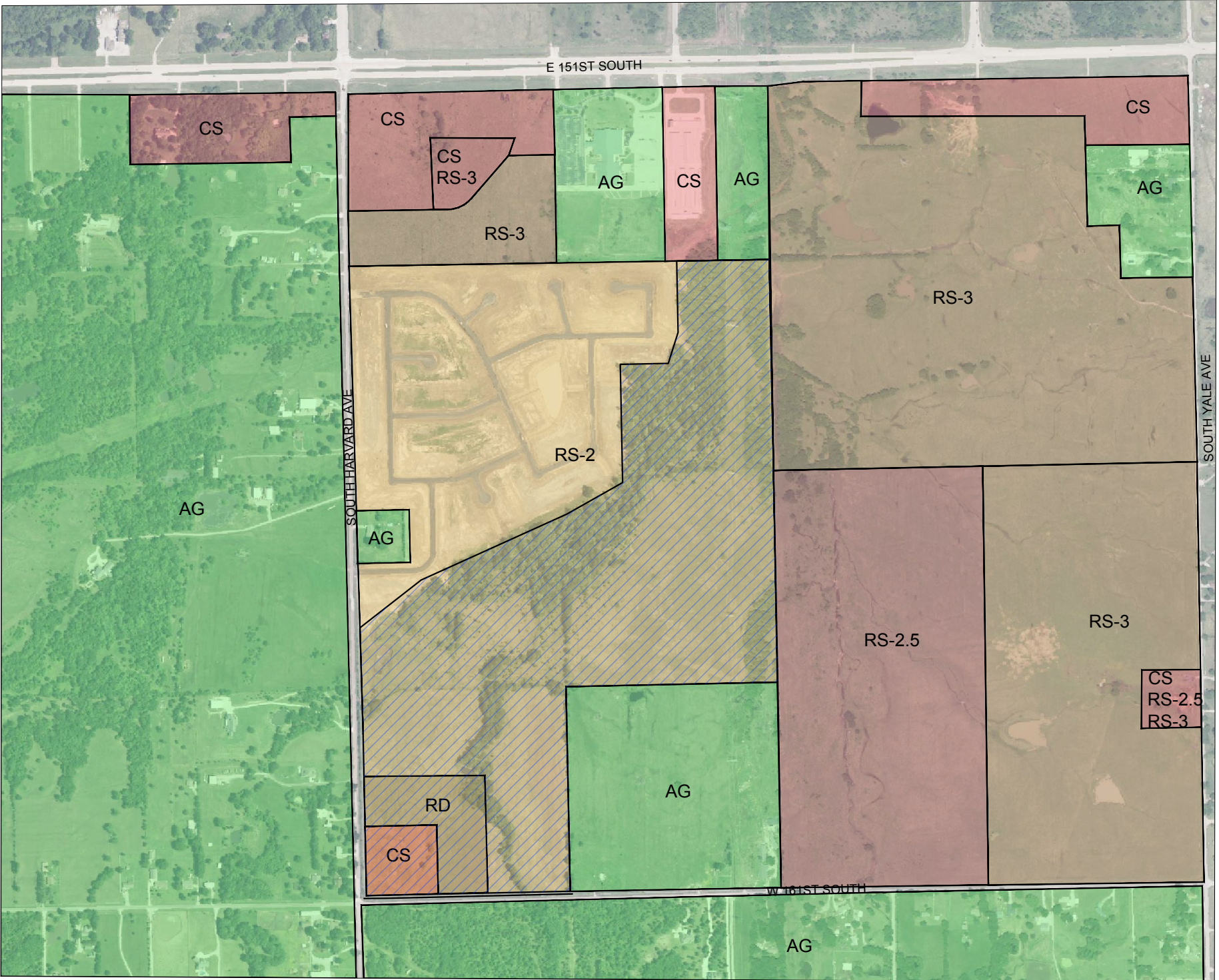
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 KS CA#2292 Exp: Dec. 31, 2020
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Exhibit C
Existing Zoning
for
Bixby Meadows II



LEGEND

- ZONED AG (AGRICULTURE)
- ZONED CS (COMMERCIAL)
- ZONED RS 2 (RESIDENTIAL SINGLE FAMILY)
- ZONED RD (RESIDENTIAL DUPLEX)
- ZONED RS-3 (RESIDENTIAL)
- ZONED RS-2.5 (RESIDENTIAL SINGLE-FAMILY)
- PROJECT LOCATION



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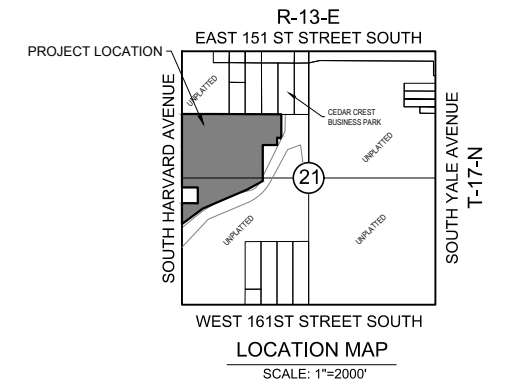
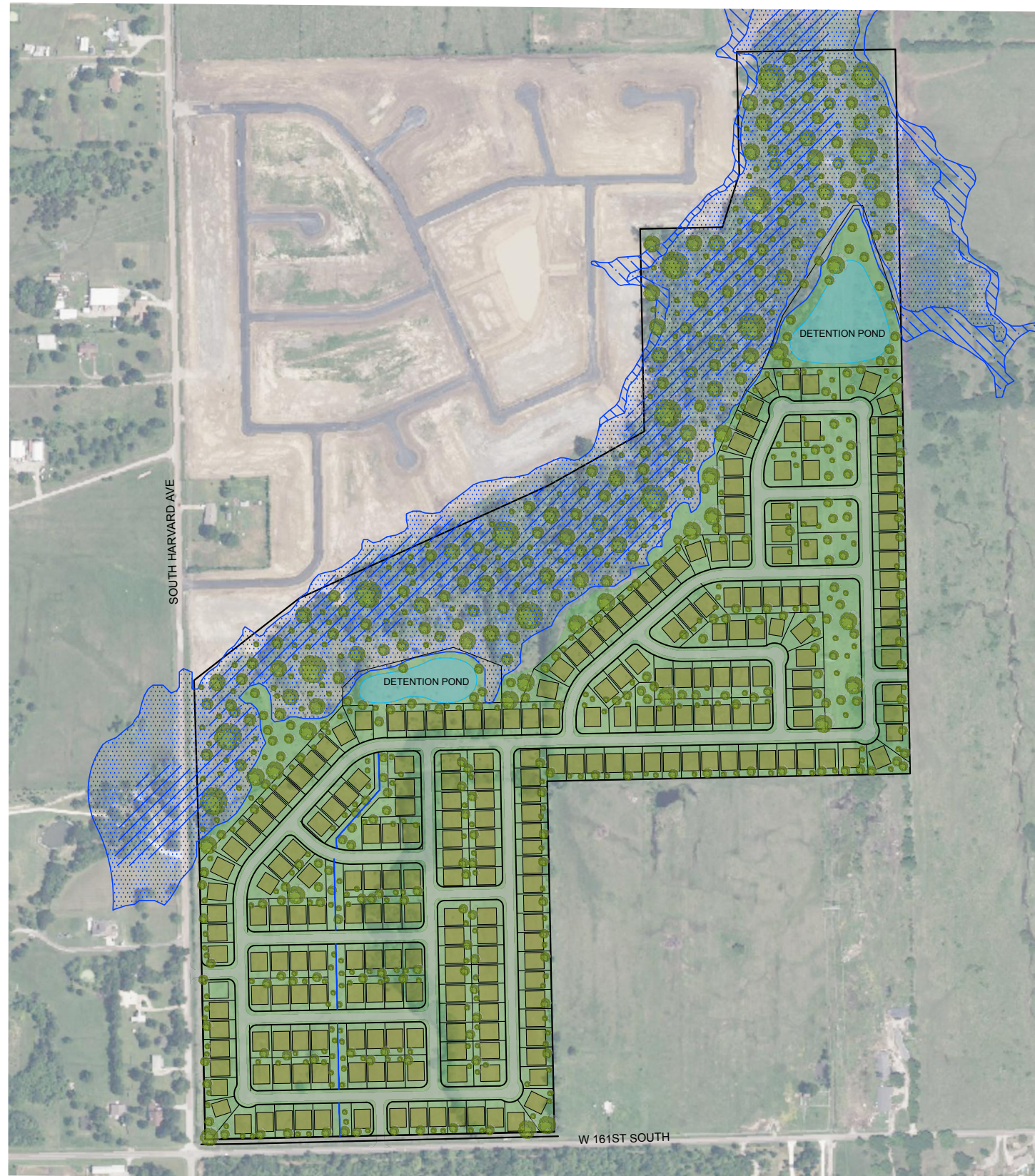
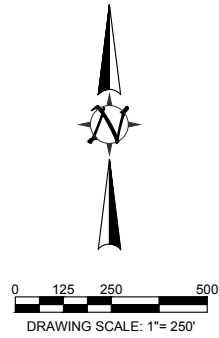
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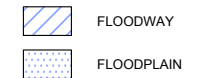


Exhibit D

Conceptual Development Plan for Bixby Meadows II



LEGEND



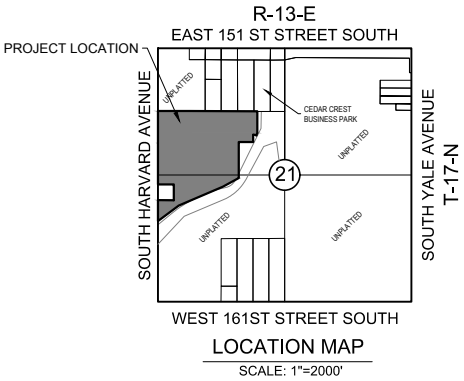
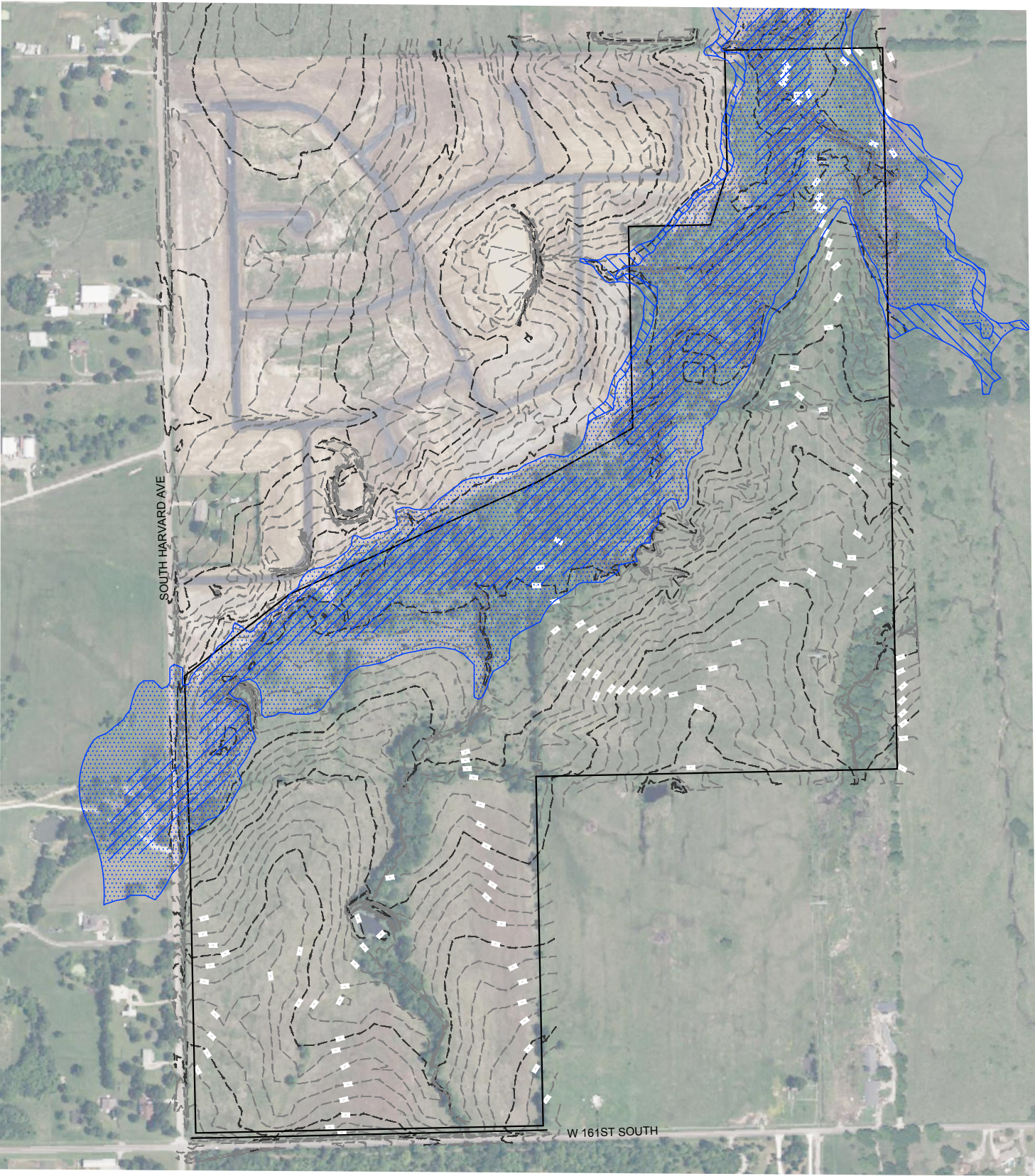
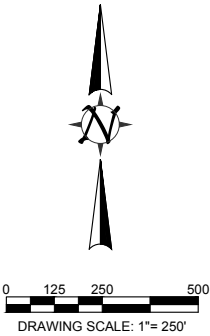
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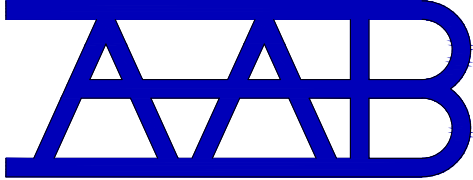
Exhibit E
Existing Topo & Aerial
for
Bixby Meadows II



LEGEND

-  FLOODWAY
-  FLOODPLAIN

AAB Engineering, LLC

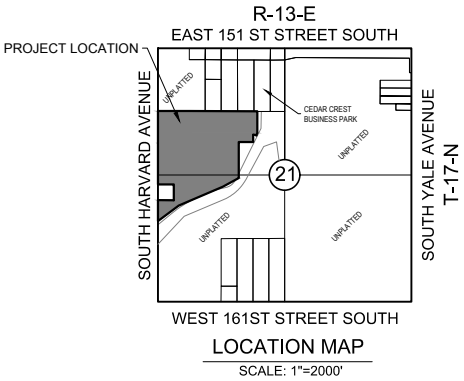
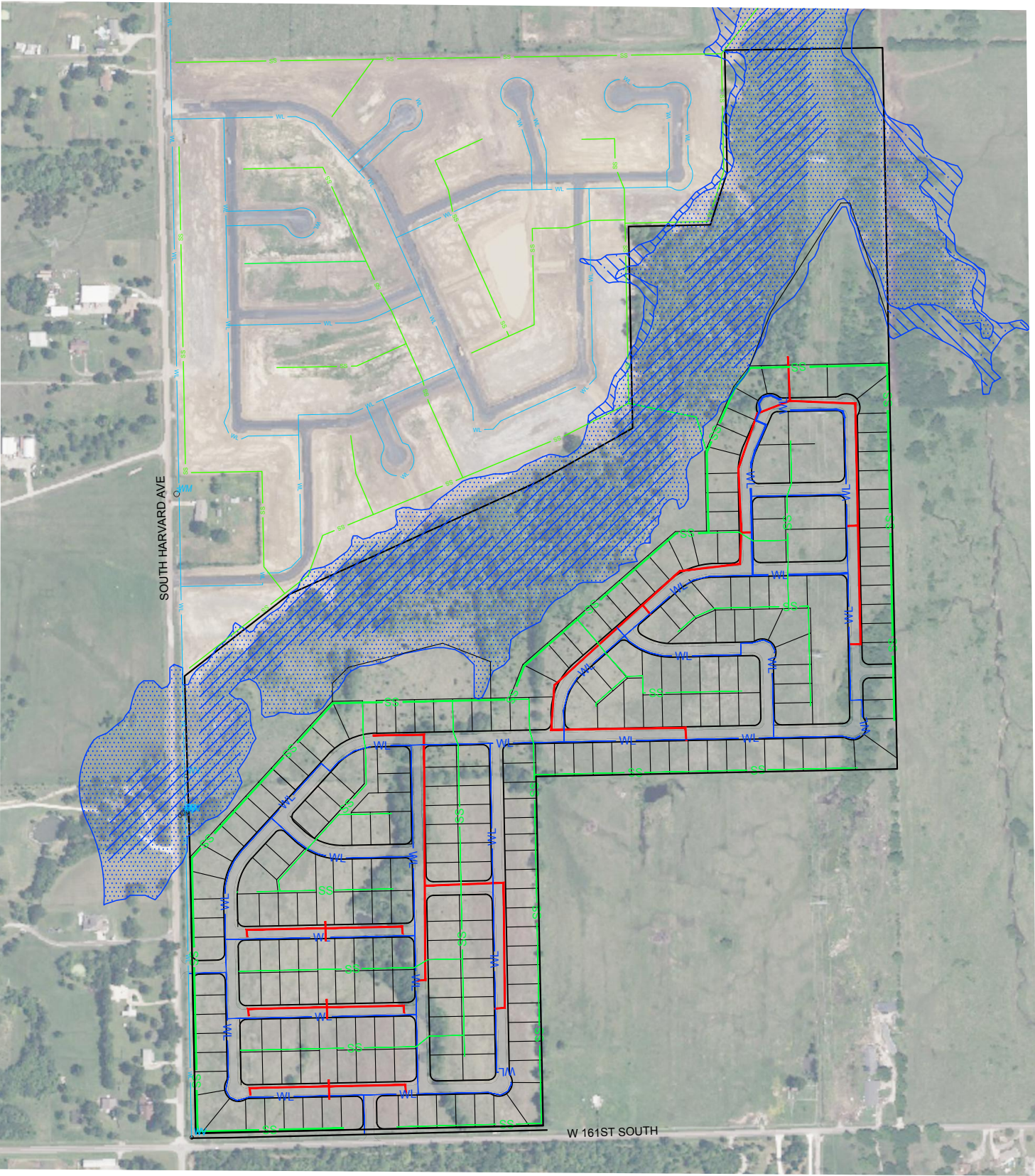
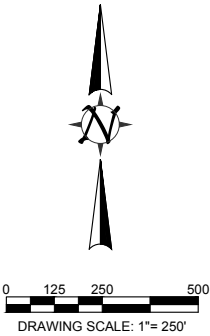


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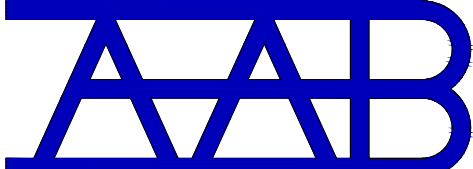
Exhibit F
Utility Plan
for
Bixby Meadows II



LEGEND

-  EXISTING WATERLINE
-  PROPOSED WATERLINE
-  EXISTING SANITARY SEWER
-  PROPOSED SANITARY SEWER
-  PROPOSED STORM SEWER
-  FLOODWAY
-  FLOODPLAIN

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