



City of Bixby Planning Commission Meeting Agenda

Chairman Jason Mohler
Vice Chair Josh Nave
Commissioner Tom Holland
Commissioner Lance Whisman
Commissioner Scott Williams

Tuesday, January 21, 2025

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 December 16, 2024.

Public Hearing

- 1) Discussion, consideration, and possible vote for approval of Final Plat, BXPT-22.18 Blocks 1-4 of The Preserve.
- 2) Discussion, consideration, and possible vote for approval of Final Plat, BXPT-22.18 Block 5 of The Preserve.
- 3) Discussion, consideration, and possible vote for approval of Comprehensive Plan Amendment BXCP-24.05 for Legends Reserve, located at the northwest corner of 111th Street and South Mingo Road.
- 4) Discussion, consideration, and possible vote for approval of Rezone BXZO-24.08 for Legends Reserve, located at the northwest corner of 111th Street and South Mingo Road.
- 5) Discussion, consideration, and possible vote for approval of Planned Unit Development BXPUD-24.09 for Legends Reserve, located at the northwest corner of 111th Street and South Mingo Road.

- 6) Discussion, consideration, and possible vote for approval of Rezone BXZO-24.06 for Bixby Farms, located near the 14600 block of South Sheridan Road.
- 7) Discussion, consideration, and possible vote for approval of Planned Unit Development BXPUD-24.07 for Bixby Farms, located near the 14600 block of South Sheridan Road.

Old Business

New Business

Adjournment

Notice of Posting

This Notice and Agenda was posted on the bulletin board this day of January 18, 2025, 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
December 16, 2024 at 6:00 PM

Call to Order

Vice Chair Jason Mohler opened the Planning Commission meeting at 6:30 PM. He noted his role as Vice Chair and asked the Secretary to call the roll.

Roll Call

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

Members Present

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

Additional Attendance

Scott Williams, Commissioner (joined after taking the Oath of Office and participated in the meeting).

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 November 18, 2024.

Vice Chair Mohler called for a motion to approve the minutes from the meeting on November 18, 2024. Commissioner Nave made the motion, which was seconded by Vice Chair Mohler. The vote results were as follows:

Motion carried: 4-0

Ayes: Nave, Holland, Whisman, Mohler
Nays: 0

After the Consent Agenda, Vice Chair Mohler moved to New Business on the agenda prior to the Public Hearing.

Public Hearing

After the Consent Agenda, Vice Chair Mohler moved to New Business on the agenda before the Public Hearing portion of the agenda.

1. Discussion, consideration and administer the Oath of Office to Scott Williams for the Bixby Planning Commission (appointed by Vice Mayor Robert Founds).

Chairman Jason Mohler introduced Item 1 on the agenda for discussion and consideration. The Commission had no comments or items to discuss under this agenda item.

Chairman Mohler took the opportunity to thank Scott Williams for his willingness to serve on the Bixby Planning Commission. Interim City Manager Joey Wiedel invited Mr. Williams to share a brief background about himself.

Following this, Judge Rush administered the Oath of Office to Commissioner Scott Williams.

Commissioner Williams then proceeded to take his seat next to the other Commissioners, and the meeting continued to Item 2.

2. Discussion, consideration, and possible vote for approval of revised Site Plan (BXSP-24.14); Courts & Commons.

Chairman Jason Mohler introduced Item 2 on the agenda for discussion and consideration.

Gladys Gill provided the Commission with an overview of the proposed revised Site Plan for Courts & Commons, located near South Memorial Drive and 121st Street. Interim City Manager Joey Wiedel gave additional context regarding the applicant's request for the Planning Commission to approve the revised Site Plan.

During the discussion, Vice Chair Josh Nave asked for clarification on whether this was a revised Site Plan or a PUD amendment. Mr. Wiedel explained that the item pertained solely to a Site Plan revision. The revision was necessary due to changes in building elevation, as the original Site Plan approved by the Planning Commission and City Council in 2023 depicted full stucco on all four sides of the building in compliance with the PUD and Memorial Corridor Appearance requirements.

Commissioner Tom Holland inquired whether the applicant had been led to believe by prior staff that the elevation and Site Plan were approved. Mr. Wiedel stated that he could not confirm what previous staff may have communicated or verbally approved.

Taylor King, the architect for Courts & Commons, addressed the Commission. He explained the rationale for using metal panels on the east side of the building facing South Memorial Drive. He described plans to enhance the building's appearance with landscaping to beautify the east façade and believes they are in compliance with PUD requirements. Josh Juarez also addressed the Commission and expressed that they believe they satisfied the PUD.

Internal discussion continued.

Vice Chair Nave motioned to approve the revised Site Plan for Courts & Commons with an 18-month moratorium. Under the terms of the motion, the applicant must adhere to the Memorial Corridor Appearance standards at the end of the moratorium period. Commissioner Holland seconded the motion. The vote results were as follows:

Motion carried: 5-0

Ayes: Nave, Holland, Williams, Whisman, Mohler
Nays: 0

3. Discussion, consideration, and possible vote for approval of Preliminary Plat (BXPT-24.12); Reserve at Pecan Creek.

Chairman Jason Mohler introduced Item 3 on the agenda for discussion and consideration.

Gladys Gill gave the Commission an overview of the Preliminary Plat for the Reserve at Pecan Creek Reserve. Erik Enyart of Tanner Consulting, LLC, addressed the Commission to offer additional background on the project. Chairman Mohler confirmed with Mr. Enyart that the development would include either a second entrance or require homes within the development to be equipped with fire sprinklers. Mr. Enyart explained that Tanner Consulting is collaborating with city staff to explore other options for a secondary entrance. One potential solution is to utilize the gravel road owned by the city, which runs north-south along Fry Creek.

Vice Chair Nave inquired about who would be responsible for constructing the road to provide secondary access. Justin Morgan of Tanner Consulting, LLC, confirmed that the developer would build the road. Vice Chair Nave then asked who would maintain the gravel road. Interim City Manager Joey Wiedel stated that discussions on road maintenance are ongoing with city staff. The Commission proceeded with a detailed discussion regarding the gravel road and its implications for the project.

Commissioner Holland had questions regarding the development standards of the Deed of Dedication.

Vice Chair Nave moved to approve the Preliminary Plat, BXPT-24.12. Commissioner Holland seconded the motion. The vote was recorded as follows:

Motion carried: 5-0

Ayes: Nave, Whisman, Williams, Holland, Mohler

Nays: 0

4. Discussion, consideration, and possible vote for approval of Planned Unit Development Major Amendment No. 2 (BXPUD-21.11 MA.02); Ellis Ranch.

Chairman Jason Mohler introduced Item 4 on the agenda for discussion and consideration.

Gladys Gill provided the Commission with an overview of Planned Unit Development (PUD) Major Amendment No. 2. Commissioner Whisman requested clarification regarding the lot widths. The Interim City Manager explained that the applicant is increasing the lot sizes because the development now proposes public streets instead of private ones. A discussion followed among the Commissioners and staff.

The applicant, Hayden Welch, Director of Development at Ideal Homes, provided additional details about the proposed modification to the PUD. He explained the request to convert the gated community within Ellis Ranch to include public streets and larger lot sizes. Mr. Welch also outlined the amenities planned for the development. Vice Chair Nave inquired whether this project had been presented to the City Council during a work session. Gladys Gill confirmed that the applicant presented the project to the Council in October 2024. Additional discussion took place among the Commissioners.

Interim City Manager Joey Wiedel recommended that the Commission make a motion either to approve or deny the development and forward it to the City Council for consideration. Commissioner Whisman requested it be noted that the applicant is willing to include a minimum home size of 1,400 square feet. Commissioner Whisman then made a motion to deny the request, which was seconded by Commissioner Holland. The vote was recorded as follows:

Motion carried: 4-1
Ayes: Whisman, Holland, Williams, Nave,
Nays: Mohler

Commissioner Holland requested a recess, and the meeting took a break at 8:00 PM.

The meeting reconvened at 8:07 PM.

5. Discussion, consideration, and possible vote for approval of Planned Unit Development Major Amendment No. 2 (BXPUD-21.01 MA.02); Deer Valley.

Chairman Jason Mohler introduced Item 5 on the agenda for discussion and consideration.

Gladys Gill presented an overview of Planned Unit Development (PUD) Major Amendment No. 2 and the Preliminary Plat for Deer Valley. Justin Morgan of Tanner Consulting, LLC, provided the Commission with additional details about the project. Commissioner Whisman requested clarification regarding the proposed reduction in minimum dwelling size for the gated area to 1,500 square feet.

Commissioner Holland made the motion to approve PUD Major Amendment No. 2, which was seconded by Commissioner Whisman. The vote results were as follows:

Motion carried: 5-0
Ayes: Holland, Whisman, Williams, Nave, Mohler
Nays: 0

6. Discussion, consideration, and possible vote for approval of Preliminary Plat (BXPT-24.13); Deer Valley.

Chairman Jason Mohler introduced Item 6 on the agenda for discussion and consideration.

Staff indicated they had no additional comments. Vice Chair Nave asked whether the proposed Preliminary Plat was consistent with the PUD. Gladys Gill confirmed that it was.

Vice Chair Nave made the motion to approve Preliminary Plat BXPT-24.13, which was seconded by Commissioner Williams. The vote results were as follows:

Motion carried: 5-0
Ayes: Nave, Williams, Whisman, Holland, Mohler
Nays: 0

7. Discussion, consideration, and possible vote for approval of Comprehensive Plan Amendment (BXCP-24.04); Bixby Meadows II.

Chairman Jason Mohler introduced Item 7 on the agenda for discussion and consideration.

Gladys Gill provided an overview of the proposed project, Bixby Meadows II, and requested that Items 8 and 9 be discussed in conjunction with Item 7.

The applicant, Alan Betchan of AAB Engineering, presented additional details about Bixby Meadows II. He addressed the proposed Comprehensive Plan amendment, which would change the zoning designation from commercial and duplex to entirely residential. Mr. Betchan also noted the request for a reduction in livability space within the PUD.

Vice Chair Nave inquired about the minimum dwelling sizes for the development. Mr. Betchan confirmed that the minimum would be 2,000 square feet for single-story homes and 2,400 square feet for two-story homes. Vice Chair Nave further asked for clarification on the City Council's perspective regarding the removal of commercial zoning at key intersections. Mr. Betchan shared his viewpoint, explaining that commercial zoning at hard corners does not always succeed as intended. Discussion ensued.

Vice Chair Nave expressed appreciation for the proposed lot and dwelling sizes. Chairman Mohler asked Mr. Betchan whether the developer would be willing to address the condition of Harvard Avenue. Mr. Betchan responded that it is a challenging question, noting that requiring a developer to address public streets can be difficult.

Mr. Betchan also discussed the proposed amenities, stating that while the developer is still evaluating them, the PUD currently guarantees the overall quality of the development. Interim City Manager Joey Wiedel inquired whether the development would include curbs and gutters, and Mr. Betchan confirmed in the affirmative. Vice Chair Nave then asked whether the amenities would be specified during the PUD process or at the platting stage. Mr. Wiedel clarified that amenities are typically addressed within the PUD. A discussion regarding amenities ensued between the applicant and the commission. Mr. Betchan agreed to prepare an amenities packet to present to the City Council at the January 13th meeting.

Vice Chair Nave made a motion to approve the Comprehensive Plan Amendment BXCP-24.04. Commissioner Whisman seconded the motion. The vote was taken with the following results:

Motion carried: 5-0

Ayes: Nave, Whisman, Williams, Holland, Mohler

Nays: 0

8. Discussion, consideration, and possible vote for approval of Rezone (BXZO-24.07); Bixby Meadows II.

Chairman Jason Mohler introduced Item 8 on the agenda for discussion and consideration.

Staff had no further comments on the rezone. Mr. Wiedel wants to clarify that when considering zoning and PUDs, the commission must ensure they are okay with the PUD before approving the zoning.

Vice Chair Nave made a motion to approve rezone BXZO-24.07. Commissioner Holland seconded the motion. The vote was taken with the following results:

Motion carried: 5-0

Ayes: Nave, Holland, Williams, Whisman, Mohler

Nays: 0

9. Discussion, consideration, and possible vote for approval of Planned Unit Development (BXPUD-24.08); Bixby Meadows II.

Chairman Jason Mohler introduced Item 9 on the agenda for discussion and consideration.

Staff had no further comments on the PUD.

Vice Chair Nave motioned to approve PUD BXPUD-24.08, noting that a detailed amenities packet would be provided to the council for discussion. He also wanted it noted that he would like to see a 36-month sunset clause. The applicant, Alan Betchan of AAB Engineering, asked for clarification on the

sunset clause. He asked if they would be able to request an extension on the sunset clause. Vice Chair Mohler asked how Broken Arrow handles PUD extensions. Mr. Betchan stated that a sunset clause starts when the Final Plat is filed, and they can extend with 4 years in total. Mr. Wiedel noted that the council would like to see a two-year sunset, and anything beyond that would need to be returned to the council for an extension of an additional year.

Vice Chair Nave motioned to approve PUD BXPUD-24.08, mentioning that a comprehensive amenities packet would be presented to the council for discussion. He also wanted it noted that he would like the council to discuss the sunset clause. Seconded by Commissioner Whisman. The vote was taken with the following results:

Motion carried: 5-0
Ayes: Nave, Whisman, Williams, Holland, Mohler
Nays: 0

Old Business

No old business to discuss.

New Business

Selection of the new Chair and Vice Chair for the Planning Commission. Discussion ensued.

Commissioner Nave motioned to nominate Vice Chair Jason Mohler as Planning Commission Chairman. The motion was seconded by Commissioner Whisman. The vote was taken with the following results:

Carried: 3-1
Ayes: Nave, Whisman, Holland
Nays: Mohler

Commissioner Whisman motioned to nominate Commissioner Josh Nave as Planning Commission Vice Chair. Commissioner Holland seconded the motion. The vote was taken with the following results:

Carried: 4-0
Ayes: Whisman, Holland, Nave, Mohler
Nays: 0

The meeting then returned to Item 1 on the agenda.

Following Item 9, the Commission discussed the importance of addressing the sunset clause and zoning approvals with the City Council. No further discussion or action was taken.

Adjournment

An adjournment was called at 9:01 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 I

Date: January 21, 2025

Name: The Preserve

Cases: Final Plat BXPT-22.18 Blocks 1-4 and Final Plat BXPT-22.18 Block 5

Location: Northeast corner of 171st Street S and Sheridan Road

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

Applicant: Tanner Consulting, LLC.

Request:

Tanner Consulting is requesting approval of the Final Plat for blocks 1 through 4 and the Final Plat for block 5 for The Preserve, a residential development zoned RS-3 with supplemental zoning of BXPUD-22.05. This submission includes the finalized lot configurations and street layouts within these blocks, aligning with the preliminary plans approved in earlier phases.

Site Stats: Blocks 1-4

Acres: 53.228 +/-	Number of Blocks: 4	Average Lot Size: 6,060 sf
Number of Lots: 74	Reserve Areas: 2	Average Lot Width: 55 ft

Block 5

Acres: 10.658 +/-	Number of Blocks: 1	Average Lot Size: 6,060 sf
Number of Lots: 24	Reserve Areas: 4	Average Lot Width: 55 ft

Existing Zoning; Use:

Residential Single-Family (RS-3), BXPUD-22.05: Vacant

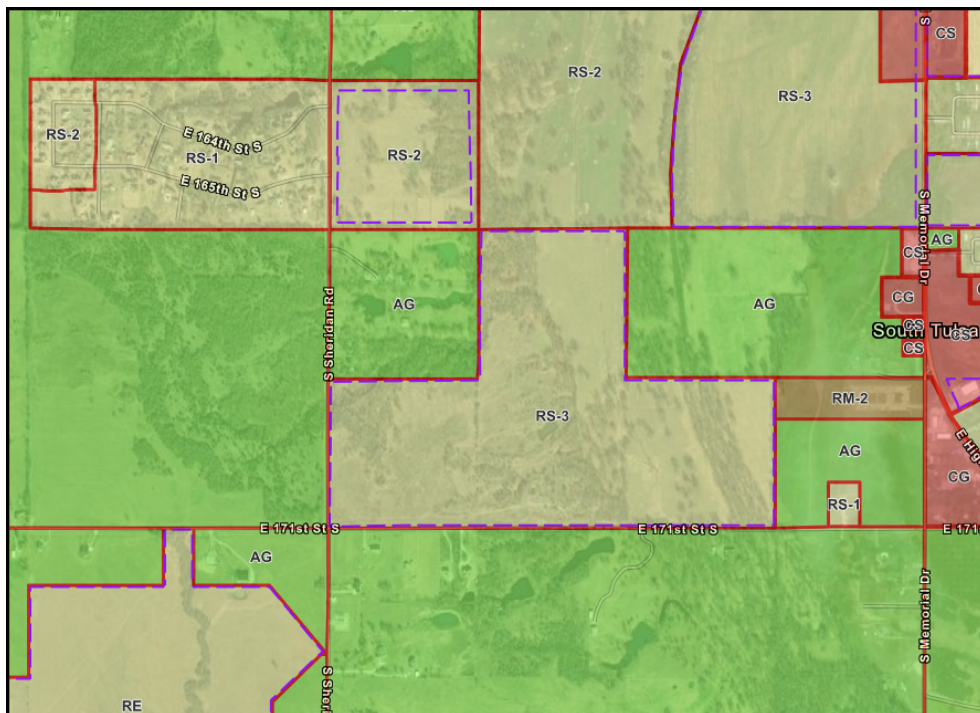
Abutting Zoning; Use:

North: (RS-2) Single-Family Dwellings: Spartan Crossing (Vacant), (RS-2) Single-Family Dwellings: Pecan Meadows (Vacant), and (RS-3) Single-Family Dwelling: Ellis Ranch (Vacant)

East: (AG) Agriculture Single-Family Dwellings, (CS) Commercial Shopping Rainbow Meadows, (CG) Commercial General, (RM-2) Residential Multifamily: Hadlee Manor Senior Community and (RS-1) Residential Single-Family Dwellings.

South: (AG) Agriculture: Single-Family Dwellings

West: (AG) Agriculture: Single-Family Dwelling

Figure 1: City of Bixby Zoning Map

Utilities/Site Area:

- Water: 8" running North/South along South Sheridan Road 8" running East/West along 171st Street South
- Sewer: The nearest gravity sanitary sewer is an 8" located at the northwest corner (NW/c) of Lot 1, Block I, "Hadlee Manor"
- Stormwater: The site will be included in the Snake Creek master drainage plan.

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

Public Comments:

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

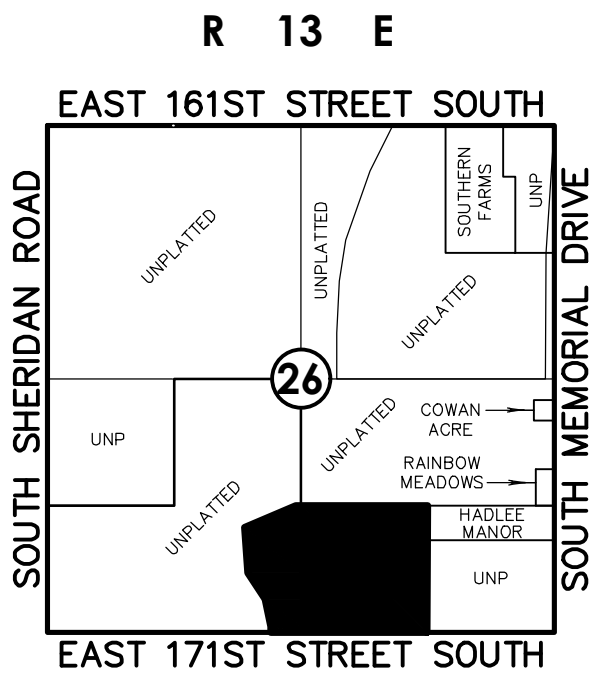
Staff Comments

The proposed development aligns with the development patterns of adjacent and surrounding properties. The staff has reviewed both conditional final plats and confirms that they comply with the preliminary plat and PUD for The Preserve, as previously approved by the Planning Commission and City Council. However, staff offers the following recommendations for further improvement:

1. Include details on fencing along East 171st Street South within the plats
2. Add addresses to the Lot Area & Address Table diagram on the plats.
3. Provide copies of Letters of Release from utility companies and Oklahoma corporations.

Figures: Figure 1: City of Bixby Zoning Map

Attachments: Exhibit A: Conditional Final Plat with Deed of Dedication for blocks 1-4
Exhibit B: Conditional Final Plat with Deed of Dedication for block 5



Location Map

Scale: 1"= 2000'



OWNER:
PPM 171 Development, LLC
CONTACT: BRIAN HUMPHREY, MANAGER
EMAIL: BRBBUYERS@GMAIL.COM
3015 East Skelly Drive, Suite 2065-H
Tulsa, OK 74105
Phone: (918) 808-3489

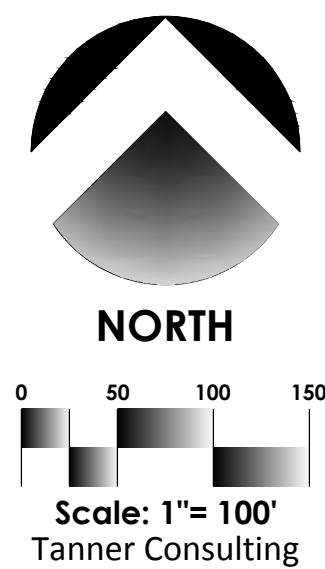
Conditional Final Plat BXPUD-22.05

THE PRESERVE

Blocks 1-4

A TRACT OF LAND THAT IS ALL OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4 SE/4) AND A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 SW/4), ALL IN SECTION TWENTY-SIX (26), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, 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
F/E	FENCE EASEMENT
GOV/T	GOVERNMENT
LNA	LIMITS OF NO ACCESS
ODE	OVERLAND DRAINAGE EASEMENT
RES.	RESERVE
R/W	RIGHT-OF-WAY
SDD/E	STORMWATER DRAINAGE & DETENTION EASEMENT
U/E	UTILITY EASEMENT
1234	ADDRESS ASSIGNED
○	FOUND MONUMENT
●	SET MONUMENT (SEE NOTE 2)

SUBDIVISION CONTAINS:

SEVENTY FOUR (74) LOTS
IN FOUR (4) BLOCKS
WITH TWO (2) RESERVE AREAS

GROSS SUBDIVISION AREA: 53.228 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); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
 - ALUMINUM ODOT CAP FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 26;
 - BRASS CAP FOUND FOUND AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 26;THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 88°38'41" WEST.
- 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 EAST 171ST STREET SOUTH BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.
- THAT PORTION OF THE "UTILITY EASEMENT (SANITARY SEWER)", DATED THE 18TH DAY OF JULY, 2024, AND FILED OF RECORD AUGUST 18, 2024 AS DOCUMENT #2024065633 IN THE RECORDS OF THE COUNTY CLERK OF TULSA COUNTY, OKLAHOMA, AS CONTAINED WITHIN THE BOUNDARY OF "THE PRESERVE BLOCKS 1-4", TERMINATES AUTOMATICALLY UPON THE FILING OF RECORD OF THIS PLAT "THE PRESERVE BLOCKS 1-4" IN THE RECORDS OF SAID COUNTY CLERK, AS PROVIDED IN SAID EASEMENT. THUS, SAID EASEMENT IS NOT REPRESENTED HEREON.
- ALL DWELLINGS SHALL REQUIRE BACKFLOW PREVENTION EXCEPT AS OTHERWISE PERMITTED BY THE CITY OF BIXBY.

Curve Table

CURVE	LENGTH(L)	RADIUS(R)	DELTA(Δ)	CHORD(BRG)(CB)	CHORDDIS(CD)
1	47.12'	30.00'	89°59'55"	N43°38'44"E	42.43'
2	47.12'	30.00'	89°59'51"	N46°21'10"W	42.43'
3	66.14'	476.39'	7°57'16"	N5°19'52"W	66.08'
4	39.16'	25.00'	89°44'43"	N35°33'52"E	35.28'
5	35.33'	25.00'	80°58'25"	N61°16'23"W	32.46'
6	181.10'	350.00'	29°38'46"	N16°10'37"W	179.08'
7	84.92'	476.39'	10°12'49"	N25°53'35"W	84.81'
8	196.34'	450.00'	25°00'00"	N18°30'00"W	194.80'
9	174.54'	400.00'	25°00'00"	N18°30'00"W	173.15'
10	39.27'	25.00'	90°00'01"	N38°59'59"E	35.36'
11	39.27'	25.00'	90°00'00"	N51°00'00"W	35.36'
12	63.94'	200.00'	18°19'00"	N74°50'30"E	63.67'
13	47.95'	150.00'	18°19'00"	N74°50'30"E	47.75'
14	45.08'	25.00'	103°19'00"	N62°39'30"W	39.22'
15	16.09'	25.00'	36°52'12"	N47°14'54"E	15.81'
16	154.51'	50.00'	177°03'23"	N62°39'30"W	99.97'
17	16.09'	25.00'	36°52'12"	N77°26'06"E	15.81'
18	167.55'	400.00'	24°00'00"	N23°00'00"W	166.33'
19	146.60'	350.00'	24°00'00"	N23°00'00"W	145.54'
20	117.45'	200.00'	33°38'46"	N18°10'37"W	115.77'
21	146.81'	250.00'	33°38'46"	N18°10'37"W	144.71'
22	59.90'	25.00'	137°16'52"	N69°59'40"W	46.57'
23	240.73'	50.00'	275°50'39"	N0°42'46"W	67.01'
24	19.44'	25.00'	44°33'45"	N65°04'19"W	18.96'
25	36.51'	125.00'	16°44'07"	N78°59'09"W	36.38'
26	25.75'	25.00'	59°00'30"	N79°52'40"E	24.62'
27	62.83'	40.00'	90°00'00"	N43°38'46"E	56.57'
28	60.12'	90.00'	38°16'21"	N69°30'35"E	59.01'
29	25.07'	175.00'	8°12'32"	N84°32'30"E	25.05'
30	40.86'	225.00'	10°24'21"	N83°26'35"E	40.81'
31	30.27'	1050.00'	1°39'06"	N6°49'33"W	30.27'
32	13.83'	1000.00'	0°47'32"	N6°23'46"W	13.83'



FINAL PLAT CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the City Council of the City of Bixby.

MAYOR-VICE MAYOR

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

CITY MANAGER-CITY CLERK

The Preserve Blocks 1-4
SHEET 1 OF 3

Conditional Final Plat

BXPUD-22.05

THE PRESERVE
Blocks 1-4

DEED OF DEDICATION & RESTRICTIVE COVENANTS

KNOW ALL PERSONS BY THESE PRESENTS:

THAT PPM 171 DEVELOPMENT, 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 ALL OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4 SE/4) AND A PART OF THE SOUTHEAST QUARTER OF THE QUARTER (SW/4 SE/4) SW/4), ALL IN 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:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SE/4 SW/4; THENCE SOUTH 88°38'41" WEST AND ALONG THE SOUTH LINE OF THE SE/4 SW/4, FOR A DISTANCE OF 301.70 FEET; THENCE NORTH 1°21'19" WEST AND PERPENDICULAR TO SAID SOUTH LINE, FOR A DISTANCE OF 60.00 FEET; THENCE NORTH 13°59'22" WEST FOR A DISTANCE OF 292.91 FEET; THENCE NORTH 33°56'32" WEST FOR A DISTANCE OF 325.76 FEET; THENCE NORTH 6°00'00" WEST FOR A DISTANCE OF 473.27 FEET; THENCE NORTH 65°41'00" EAST FOR A DISTANCE OF 579.92 FEET TO A POINT ON THE NORTH LINE OF SAID SE/4 SW/4; THENCE NORTH 88°37'46" EAST AND ALONG SAID NORTH LINE, FOR A DISTANCE OF 51.30 FEET TO THE NORTHEAST CORNER THEREOF, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SAID SW/4 SE/4; THENCE NORTH 88°37'46" EAST AND ALONG THE NORTH LINE OF THE SW/4 SE/4, FOR A DISTANCE OF 1320.60 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 1°08'54" EAST AND ALONG THE EAST LINE OF THE SW/4 SE/4, FOR A DISTANCE OF 1318.71 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 88°38'55" WEST AND ALONG THE SOUTH LINE OF THE SW/4 SE/4, FOR A DISTANCE OF 1321.58 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 2,318,619 SQUARE FEET OR 53.228 ACRES.

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

- (1) ALUMINUM ODOT CAP FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 26;
- (2) BRASS CAP FOUND FOUND AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 26;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 88°38'41" WEST.

PPM 171 DEVELOPMENT, LLC HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, GRANTED, DONATED, CONVEYED, DEDICATED, ACCESS RIGHTS RESERVED, AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS, AND STREETS, AND HAS DESIGNATED THE SAME AS "THE PRESERVE BLOCKS 1-4", 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 THE STREETS AS DEPICTED ON THE ACCOMPANYING PLAT AND FURTHER DEDICATES TO THE PUBLIC 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 IN THE PUBLIC STREETS, PROVIDED HOWEVER, OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, REPAIR, REPLACE, AND REMOVE WATERLINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING, REPLACING, AND REMOVING 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 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 UTILITY EASEMENT SHALL BE PLACED, ERECTED, INSTALLED, OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY-PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING, AND CUSTOMARY SCREENING FENCES AND WALLS.

B. UNDERGROUND SERVICE

1. OVERHEAD POLES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICE MAY BE LOCATED IN THE RIGHT-OF-WAY OF EAST 171ST STREET SOUTH AS DEDICATED BY THIS PLAT AND WITHIN THE PERIMETER UTILITY EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED BY UNDERGROUND CABLE AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY-PRECEDING SENTENCE, ALL ELECTRIC, COMMUNICATION, AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT-WAYS RESERVED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST SERVICE PEDESTAL, TRANSFORMER, OR GAS MAIN TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURES MAY BE LOCATED UPON THE LOT OR RESERVE AREA, PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE OR 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 OR RESERVE AREA, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE, EXTENDING FROM THE SERVICE PEDESTAL, TRANSFORMER, OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.

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

4. THE OWNER OF EACH LOT OR 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.

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

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

1. THE OWNER OF EACH LOT AND RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, PUBLIC SANITARY SEWER FACILITIES, AND PUBLIC 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 SAID MAINS OR FACILITIES. 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, PUBLIC SANITARY SEWER FACILITY, OR PUBLIC STORM SEWER FACILITY, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS, STORM SEWER INLETS, 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, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.

2. THE CITY OF BIXBY, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, PUBLIC SANITARY SEWER FACILITIES, AND PUBLIC STORM SEWER FACILITIES, BUT THE OWNER OF EACH LOT OR RESERVE AREA 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.

3. 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 OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

4. ALL WATER, SANITARY SEWER, 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 DURING SAID TERM, THE OWNER/DEVELOPER SHALL ASSIST THE CITY OF BIXBY IN COORDINATION AND FACILITATION WITH THE APPROPRIATE CONTRACTOR.

5. THE COVENANTS SET FORTH IN THIS SUBSECTION C. CONCERNING WATER, SANITARY SEWER, AND STORM SEWER FACILITIES SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OR ITS SUCCESSORS, AND THE LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

D. SURFACE DRAINAGE

EXCEPT FOR STORMWATER DETENTION FACILITIES CONSTRUCTED WITHIN STORMWATER DRAINAGE AND DETENTION EASEMENTS, EACH LOT AND RESERVE AREA WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS, AND NO LOT OR RESERVE AREA OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS SAID OWNER'S LOT OR RESERVE AREA. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY AN AFFECTED LOT OR RESERVE AREA OWNER, THE PROPERTY OWNERS' ASSOCIATION DEFINED HEREINAFTER IN SECTION IV, AND THE CITY OF BIXBY, OKLAHOMA.

E. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO PROPERLY-PERMITTED LANDSCAPING AND PAVING OCCASIONED BY 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. LIMITS OF NO ACCESS

THE OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO EAST 171ST STREET SOUTH AND ANY OTHER STREET WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" OR "LNA" ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF BIXBY PLANNING COMMISSION, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE CITY OF BIXBY, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF BIXBY.

G. STORMWATER DRAINAGE AND DETENTION EASEMENTS

1. THE OWNER/DEVELOPER HEREBY DEDICATES TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS "STORMWATER DRAINAGE AND DETENTION EASEMENT" OR "SDDE" FOR THE PURPOSES OF PERMITTING THE OVERLAND AND UNDERGROUND FLOW, CONVEYANCE, DETENTION, RETENTION, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS AND AREAS WITHIN THE SUBDIVISION AND FROM PROPERTIES NOT INCLUDED WITHIN THE SUBDIVISION.

2. STORMWATER DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE STORMWATER DRAINAGE AND DETENTION EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.

3. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE STORMWATER DRAINAGE AND DETENTION EASEMENTS, NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID EASEMENTS UNLESS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.

4. STORMWATER DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE OWNER OF THE RESERVE AREAS CONTAINING THE STORMWATER DRAINAGE AND DETENTION EASEMENTS TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED STORMWATER DRAINAGE, RETENTION, AND DETENTION FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SITUATION, AND THE ASSOCIATION SHALL MAINTAIN SAID FACILITIES IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:

- A) GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR (4) WEEKS, OR LESS.
- B) CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
- C) THE STORMWATER DETENTION EASEMENTS SHALL BE KEPT FREE OF DEBRIS.
- D) CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

5. LANDSCAPING, APPROVED BY THE CITY OF BIXBY, OKLAHOMA, SHALL BE ALLOWED WITHIN THE STORMWATER DRAINAGE AND DETENTION EASEMENTS.

6. IN THE EVENT THE OWNER OF THE RESERVE AREAS SUBJECT TO THE STORMWATER DRAINAGE AND DETENTION EASEMENT SHOULD FAIL TO PROPERLY MAINTAIN THE STORMWATER DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION, THE ALTERATION OF GRADE, OR THE ACCUMULATION OF SILTATION WITHIN A STORMWATER DRAINAGE AND DETENTION EASEMENT, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE RESERVE AREA OWNER. IN THE EVENT SUCH OWNER SHOULD FAIL TO PAY THE COSTS OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BIXBY, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS WITH THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE RESERVE AREA OWNER, OR AS DETERMINED BY THE CITY OF BIXBY, OKLAHOMA, AGAINST EACH RESIDENTIAL LOT WITHIN THE SUBDIVISION ON A PRO RATA BASIS. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

H. OVERLAND DRAINAGE EASEMENTS

1. THE OWNER/DEVELOPER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" OR "ODE" FOR THE PURPOSES OF PERMITTING OVERLAND AND UNDERGROUND FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM VARIOUS LOTS AND AREAS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION. DRAINAGE FACILITIES LOCATED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF BIXBY, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE BIXBY CITY ENGINEER.

SECTION II - RESERVE AREAS

A. PURPOSE

FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION, ALL RESERVE AREAS ARE HEREBY ESTABLISHED FOR VARIOUS PURPOSES INCLUDING, BUT NOT NECESSARILY LIMITED TO: PRIVATE STREETS, STORMWATER DRAINAGE AND DETENTION, OPEN SPACE, PARK AND OTHER NEIGHBORHOOD AMENITIES AND RELATED PARKING, ENTRY FEATURES, SIGNAGE, LANDSCAPING, IRRIGATION, LIGHTING, OTHER USES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA, AND WHERE SPECIFICALLY DESIGNATED, FOR UTILITY EASEMENTS, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE PROPERTY OWNERS' ASSOCIATION, AS SET FORTH WITHIN SECTION IV HEREOF.

B. RESERVES A AND B

RESERVES AND AND B ARE HEREBY ESTABLISHED BY GRANT OF THE OWNER/DEVELOPER FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION, THEIR GUESTS AND INVITEES, FOR THE PURPOSE OF PROVIDING FOR PRIVATE STORMWATER DRAINAGE AND DETENTION AND PRIVATE RECREATIONAL USES SUCH AS OPEN SPACE, PRIVATE PARK, SIGNAGE, FENCES AND WALLS, LANDSCAPING, IRRIGATION, LIGHTING, AND OTHER RECREATIONAL USES AND FACILITIES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA. RESERVES A AND B, WHETHER OR NOT SO DESIGNATED ON THE ACCOMPANYING PLAT, ARE HEREBY DEDICATED AS STORMWATER DRAINAGE AND DETENTION EASEMENTS, PROVIDED THAT THE DEVELOPER RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN PRIVATE RECREATIONAL USES AND FACILITIES AS OUTLINED HEREINABOVE.

C. ALL RESERVE AREAS

1. ALL COSTS AND EXPENSES ASSOCIATED WITH ALL RESERVE AREAS, INCLUDING MAINTENANCE OF IMPROVEMENTS AND RECREATIONAL FACILITIES THEREIN, SHALL BE THE RESPONSIBILITY OF THE OWNERS THEREOF, WHICH SHALL BE THE PROPERTY OWNERS' ASSOCIATION UPON CONVEYANCE OF THE RESERVE AREAS TO THE ASSOCIATION.

2. IN THE EVENT THE RESERVE AREA OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE RESERVE AREA, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER AND PERFORM NECESSARY MAINTENANCE AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER OF THE RESERVE AREA. IN THE EVENT THE OWNER OF THE RESERVE AREA SHOULD FAIL TO 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 A SPECIFICALLY PROVIDED HEREIN FOR THE RESERVE AREA, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

3. EACH LOT AND RESERVE AREA OWNER OR RESIDENT AND MEMBER OF THE PROPERTY OWNERS' ASSOCIATION AGREES TO HOLD HARMLESS THE OWNER/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 OWNER/DEVELOPER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT OR MEMBER OF THE PROPERTY OWNERS' ASSOCIATION 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 ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

Conditional Final Plat

BXPUD-22.05

THE PRESERVE
Blocks 1-4

A TRACT OF LAND THAT IS ALL OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4 SE/4) AND A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 SW/4), ALL IN SECTION TWENTY-SIX (26), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION & RESTRICTIVE COVENANTS
(CONTINUED)

SECTION III - PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE PRESERVE BLOCKS 1-4 WAS SUBMITTED AS PART OR A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD NO. BXPUD-22.05) AS PROVIDED WITHIN TITLE 11 OF THE BIXBY, OKLAHOMA, CITY CODE (BIXBY ZONING CODE), AND

WHEREAS PUD NO. BXPUD-22.05 WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF BIXBY PLANNING COMMISSION ON JULY 18, 2022, AND APPROVED BY THE BIXBY CITY COUNCIL ON AUGUST 08, 2022, THE IMPLEMENTING ORDINANCE NO. 2401 WITH EMERGENCY CLAUSE ATTACHED BEING ADOPTED BY THE COUNCIL AUGUST 08, 2022, 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 FOR DEVELOPMENT AREA A (ALL OF "THE PRESERVE" EXCEPT BLOCK 20)

GROSS LAND AREA: 6,534,000 SF 150 AC
NET LAND AREA: 6,534,000 SF 150 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: 375 [24 IN THIS PLAT]
MINIMUM LOT WIDTH †: 55 FT : 90 FT ††
MINIMUM LOT SIZE: 5,500 SF : 12,000 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 : 4,000 SF *** ††
MINIMUM YARD SETBACKS

FRONT YARD: 20 FT : 25 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 SF : 2,500 SF ††
FIRST FLOOR EXTERIOR MATERIALS: 75% (SEE SECTION III.D.3.)

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

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

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

† 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.C. RESIDENTIAL LOT RATIOS AND SUPPLEMENTAL DEVELOPMENT STANDARDS.

B. DEVELOPMENT STANDARDS FOR DEVELOPMENT AREA B (NOT INCLUDED IN THIS PLAT)

DEVELOPMENT AREA B SHALL BE DEVELOPED IN ACCORDANCE WITH THE USE AND DEVELOPMENT STANDARDS OF THE UNDERLYING ZONING.

GROSS LAND AREA: 435,600 SF 10 AC
NET LAND AREA: 435,600 SF 10 AC

C. RESIDENTIAL LOT RATIOS AND SUPPLEMENTAL DEVELOPMENT STANDARDS

THE FOLLOWING RATIOS AND RESIDENTIAL BULK AND AREA DEVELOPMENT STANDARDS SHALL APPLY WITHIN DEVELOPMENT AREA A:

RESERVE LOTS:
MINIMUM LOT TYPE RATIO: 5% OF PUD
MAXIMUM LOT TYPE RATIO: N/A
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
MINIMUM DWELLING SIZE: 2,500 SF

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

** 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: 15% OF PUD
MAXIMUM LOT TYPE RATIO: N/A
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
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
MINIMUM DWELLING SIZE: 2,200 SF

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

** 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: N/A
MAXIMUM LOT TYPE RATIO: 70% OF PUD
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
MINIMUM DWELLING SIZE: 1,650 SF

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

** 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: N/A
MAXIMUM LOT TYPE RATIO: 15% OF PUD
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)
MINIMUM DWELLING SIZE: 1,500 SF

* EACH LOT SHALL CONTAIN NOT LESS THAN 2,200 SF OF LIVABILITY OPEN SPACE. THE BALANCE REQUIRED OPEN SPACE 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.

NOTE: ALL GATED COTTAGE LOTS SHALL BE SERVED BY PRIVATE, GATED STREETS.

D. DEVELOPMENT STANDARDS FOR ALL DEVELOPMENT AREAS

1. ACCESS AND CIRCULATION

INTERNAL STREETS SERVING THE PRESERVE WILL BE MINOR RESIDENTIAL STREETS AND ARE PROPOSED TO BE PUBLIC, WITH THE EXCEPTION OF THE GATED COTTAGE LOTS, WHICH SHALL BE SERVED BY PRIVATE, GATED STREETS (AND PRIVATE STORM SEWERS). AS PHASES DEVELOP, HOWEVER, ALL NEIGHBORHOODS 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 AND NO SIDEWALKS, OR SIDEWALKS ON ONE SIDE OF THE STREET. 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. 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 APPROVED AS OUTLINED ABOVE, 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 STREET RIGHT-OF-WAY SHALL BE PLACED IN A SIDEWALK EASEMENT.

2. 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 (PROPERTY) OWNERS' 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. ANY NONRESIDENTIAL SIGNAGE SHALL 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.

WHILE PROPERTY DESCRIPTIONS ARE PROVIDED FOR DEVELOPMENT AREAS A AND B, FINAL DEVELOPMENT AREA BOUNDARIES AND AREAS SHALL BE ESTABLISHED BY REQUIRED PUD SUBDIVISION PLATS, PROVIDED THAT THE MAXIMUM NUMBER OF DWELLING UNITS SHALL BE MAINTAINED.

AS USED WITHIN THIS PUD, MASONRY SHALL INCLUDE BRICK, NATURAL OR MANUFACTURED STONE, AND STUCCO. CEMENTITIOUS FIBER IS AN APPROVED ALTERNATIVE. MASONRY SHALL BE APPLIED TO A MINIMUM OF THREE (3) BUILDING SIDES AND TO THE FIRST-FLOOR TOP PLATE. MINIMUM MASONRY PERCENTAGES SHALL EXCLUDE WINDOWS, DOORS, AND BENEATH COVERED PATIOS AND PORCHES.

PHASE 1 OF DEVELOPMENT AREA A IS ESTIMATED TO INCLUDE APPROXIMATELY 253 LOTS. CONSTRUCTION OF THE NONRESIDENTIAL USE WITHIN DEVELOPMENT AREA B SHALL COMMENCE PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY RESIDENTIAL LOT WITHIN PHASE 2 OF DEVELOPMENT AREA A.

WHEN FULLY PLATTED, NOT LESS THAN 15% OR 24 ACRES OF THE PRESERVE SHALL BE PRESERVED AS OPEN SPACE FOR THE ENJOYMENT OF THE RESIDENTS WITHIN DEVELOPMENT AREA A.

4. 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 THE PRESERVE BLOCKS 1-4 (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 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 II 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. 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 PUD "BXPUD-22.05" 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 PUD "BXPUD-22.05" 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.

PPM 171 DEVELOPMENT, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
BRIAN HUMPHREY, 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 BRIAN HUMPHREY, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF PPM 171 DEVELOPMENT, 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 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 "THE PRESERVE BLOCKS 1-4", 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.

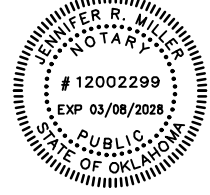
BY: _____
DAN E. TANNER
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1435

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.

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



Conditional Final Plat

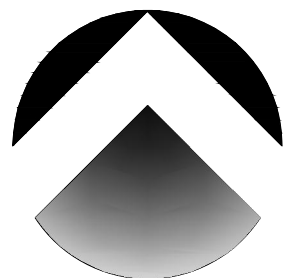
BXPUD-22.05

THE PRESERVE
Block 5

A TRACT OF LAND THAT IS PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-SIX (26), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
PPM 171 Development, LLC
CONTACT: BRIAN HUMPHREY, MANAGER
EMAIL: BRRBUYERS@GMAIL.COM
3015 East Skelly Drive, Suite 2065-H
Tulsa, OK 74105
Phone: (918) 808-3489

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



NORTH
0 30 60 90
Scale: 1"= 60'
Tanner Consulting

- LEGEND
- B/L BUILDING LINE
 - B/U BUILDING LINE & UTILITY EASEMENT
 - BK PG BOOK & PAGE
 - CB CHORD BEARING
 - CD CHORD DISTANCE
 - CL CENTERLINE
 - Δ DELTA ANGLE
 - DOC DOCUMENT
 - ESMT EASEMENT
 - F/E FENCE EASEMENT
 - GOV/T GOVERNMENT
 - LNA LIMITS OF NO ACCESS
 - ODE OVERLAND DRAINAGE EASEMENT
 - RES. RESERVE
 - R/W RIGHT-OF-WAY
 - SDD/E STORMWATER DRAINAGE & DETENTION EASEMENT
 - U/E UTILITY EASEMENT
 - 1/3/4 ADDRESS ASSIGNED
 - FOUND MONUMENT
 - SET MONUMENT (SEE NOTE 2)

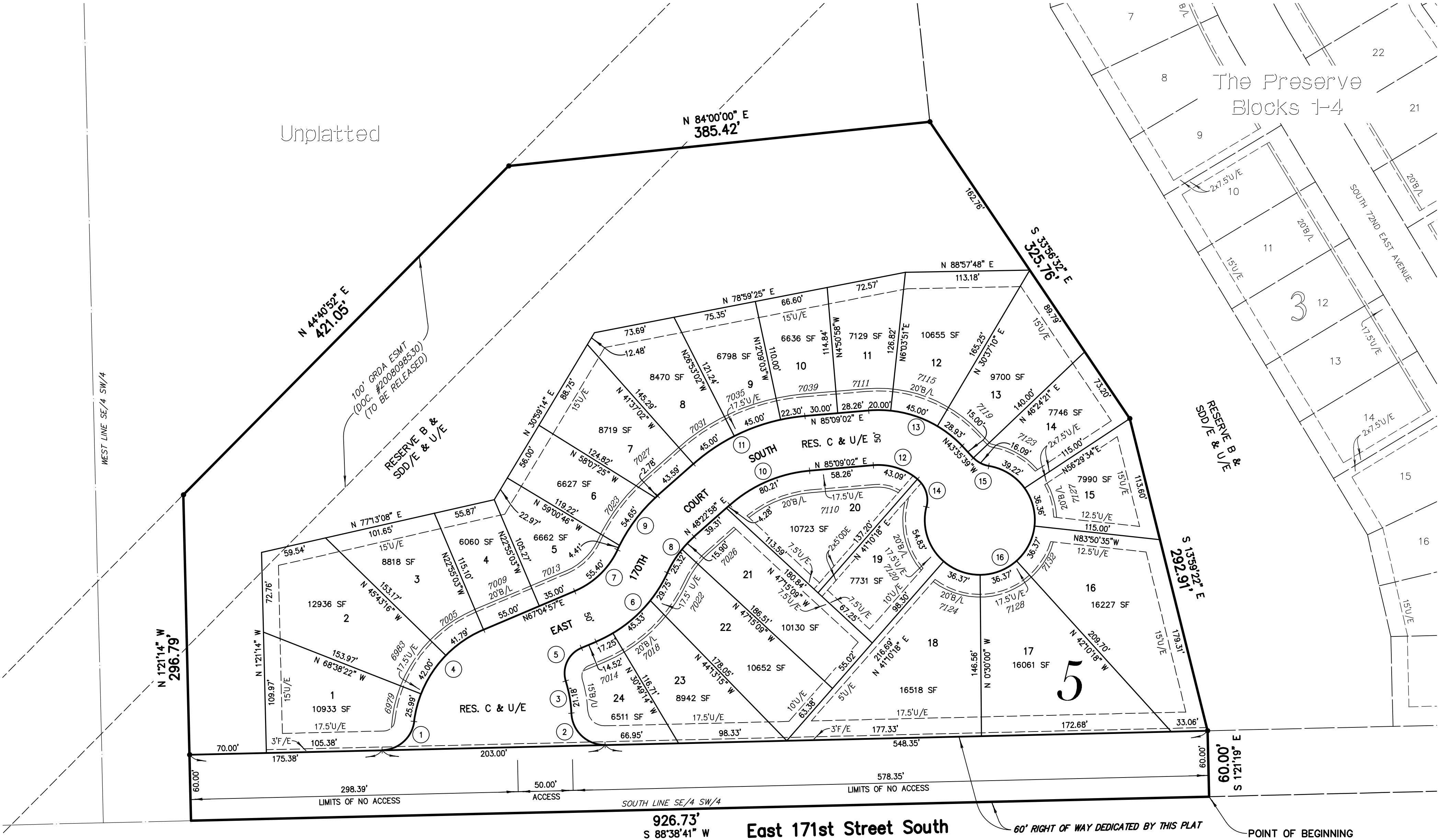
SUBDIVISION CONTAINS:
TWENTY FOUR (24) LOTS
IN ONE (1) BLOCK
WITH FOUR (4) RESERVE AREAS
GROSS SUBDIVISION AREA: 10.658 ACRES

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); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
(A) ALUMINUM ODOT CAP FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 26;
(B) BRASS CAP FOUND AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER SW/4) OF SECTION 26;
THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 88°38'41" WEST.
- 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 EAST 171ST STREET SOUTH BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.

Curve Table

CURVE	LENGTH(L)	RADIUS(R)	DELTA(Δ)	CHORDBRG(CB)	CHORDDIS(CD)
1	42.65'	30.00'	81°27'51"	N47°54'46"E	39.15'
2	46.91'	30.00'	89°35'37"	N46°33'30"W	42.28'
3	21.18'	98.33'	12°20'33"	N7°55'59"W	21.14'
4	109.78'	105.00'	59°54'06"	N37°07'54"E	104.84'
5	36.36'	25.00'	83°20'13"	N25°24'50"E	33.24'
6	92.33'	125.00'	42°19'10"	N45°55'21"E	90.24'
7	55.40'	75.00'	42°19'10"	N45°55'21"E	54.15'
8	41.22'	100.00'	23°37'12"	N36°34'22"E	40.93'
9	61.84'	150.00'	23°37'12"	N36°34'22"E	61.40'
10	80.21'	125.00'	36°46'04"	N66°46'00"E	78.85'
11	112.30'	175.00'	36°46'04"	N66°46'00"E	110.38'
12	43.09'	55.00'	44°53'24"	N72°24'15"W	42.00'
13	93.93'	105.00'	51°15'19"	N69°13'18"W	90.83'
14	27.91'	25.00'	63°58'01"	N17°58'33"W	26.48'
15	16.09'	25.00'	36°52'12"	N62°01'45"W	15.81'
16	239.52'	50.00'	274°28'18"	N56°46'19"E	67.90'



FINAL PLAT
CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the City Council of the City of Bixby.

on _____

MAYOR-VICE MAYOR

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

CITY MANAGER-CITY CLERK

Conditional Final Plat

BXPUD-22.05

THE PRESERVE
Block 5

DEED OF DEDICATION & RESTRICTIVE COVENANTS

KNOW ALL PERSONS BY THESE PRESENTS:

THAT PPM 171 DEVELOPMENT, 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 A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 SW/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 SE/4 SW/4; THENCE SOUTH 88°38'41" WEST AND ALONG THE SOUTH LINE OF THE SE/4 SW/4, FOR A DISTANCE OF 301.70 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 88°38'41" WEST AND ALONG SAID SOUTH LINE, FOR A DISTANCE OF 926.73 FEET; THENCE NORTH 1°21'14" WEST FOR A DISTANCE OF 296.79 FEET; THENCE NORTH 44°40'52" EAST FOR A DISTANCE OF 421.05 FEET; THENCE NORTH 84°00'00" EAST FOR A DISTANCE OF 385.42 FEET; THENCE SOUTH 33°56'32" EAST FOR A DISTANCE OF 325.76 FEET; THENCE SOUTH 13°59'22" EAST FOR A DISTANCE OF 292.91 FEET; THENCE SOUTH 1°21'19" EAST AND PERPENDICULAR TO SAID SOUTH LINE, FOR A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 464,279 SQUARE FEET OR 10.658 ACRES.

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

- (1) ALUMINUM ODOT CAP FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 26;
- (2) BRASS CAP FOUND FOUND AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 26;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 88°38'41" WEST.

PPM 171 DEVELOPMENT, LLC HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, GRANTED, DONATED, CONVEYED, DEDICATED, ACCESS RIGHTS RESERVED, AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS, AND STREETS, AND HAS DESIGNATED THE SAME AS "THE PRESERVE BLOCK 5", 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 THE STREETS AS DEPICTED ON THE ACCOMPANYING PLAT, EXCEPTING THE PRIVATE STREETS WITHIN RESERVE C, AND FURTHER DEDICATES TO THE PUBLIC 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 IN THE PUBLIC STREETS, PROVIDED HOWEVER, OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, REPAIR, REPLACE, AND REMOVE WATERLINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING, REPLACING, AND REMOVING 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 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 UTILITY EASEMENT SHALL BE PLACED, ERECTED, INSTALLED, OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY-PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING, AND CUSTOMARY SCREENING FENCES AND WALLS.

B. UNDERGROUND SERVICE

1. OVERHEAD POLES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICE MAY BE LOCATED IN THE RIGHT-OF-WAY OF EAST 171ST STREET SOUTH AS DEDICATED BY THIS PLAT AND WITHIN THE PERIMETER UTILITY EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED BY UNDERGROUND CABLE AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY-PRECEDING SENTENCE, ALL ELECTRIC, COMMUNICATION, AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT-WAYS RESERVED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AND RESERVE AREAS FOR PRIVATE STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST SERVICE PEDESTAL, TRANSFORMER, OR GAS MAIN TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURES MAY BE LOCATED UPON THE LOT OR RESERVE AREA, PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE OR 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 OR RESERVE AREA, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE, EXTENDING FROM THE SERVICE PEDESTAL, TRANSFORMER, OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.

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

4. THE OWNER OF EACH LOT OR 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.

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

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

1. THE OWNER OF EACH LOT AND RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, PUBLIC SANITARY SEWER FACILITIES, 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 SAID MAINS, OR FACILITIES. 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, PUBLIC SANITARY SEWER FACILITY, OR PUBLIC OR PRIVATE STORM SEWER FACILITY, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH SUCH MAINS OR FACILITIES, SHALL BE PROHIBITED. WITHIN THE UTILITY EASEMENTS, IF THE GROUND ELEVATIONS ARE ALTERED BY THE LOT OR RESERVE AREA OWNER FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, PUBLIC SANITARY SEWER FACILITY, OR PUBLIC OR PRIVATE STORM SEWER FACILITY, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS, STORM SEWER INLETS, 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, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.

2. THE CITY OF BIXBY, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, PUBLIC SANITARY SEWER FACILITIES, AND PUBLIC STORM SEWER FACILITIES, BUT THE OWNER OF EACH LOT OR RESERVE AREA 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.

3. 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 PROPERTY OWNERS' ASSOCIATION (AS DEFINED BELOW).

4. 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 OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

5. ALL WATER, SANITARY SEWER, 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 DURING SAID TERM, THE OWNER/DEVELOPER SHALL ASSIST THE CITY OF BIXBY IN COORDINATION AND FACILITATION WITH THE APPROPRIATE CONTRACTOR.

6. THE COVENANTS SET FORTH IN THIS SUBSECTION C. CONCERNING WATER, SANITARY SEWER, AND STORM SEWER FACILITIES SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OR ITS SUCCESSORS, AND THE LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

D. SURFACE DRAINAGE

EXCEPT FOR STORMWATER DETENTION FACILITIES CONSTRUCTED WITHIN STORMWATER DRAINAGE AND DETENTION EASEMENTS, EACH LOT AND RESERVE AREA WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS, AND NO LOT OR RESERVE AREA OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS SAID OWNER'S LOT OR RESERVE AREA. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER, THE PROPERTY OWNERS' ASSOCIATION DEFINED HEREINAFTER IN SECTION IV, AND THE CITY OF BIXBY, OKLAHOMA.

E. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO PROPERLY-PERMITTED LANDSCAPING AND PAVING OCCASIONED BY 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. LIMITS OF NO ACCESS

THE OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO EAST 171ST STREET SOUTH AND ANY OTHER STREET WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" OR "LNA" ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF BIXBY PLANNING COMMISSION, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE CITY OF BIXBY, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF BIXBY.

G. STORMWATER DRAINAGE AND DETENTION EASEMENTS

1. THE OWNER/DEVELOPER HEREBY DEDICATES TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS "STORMWATER DRAINAGE AND DETENTION EASEMENT" OR "SDD/E" FOR THE PURPOSES OF PERMITTING THE OVERLAND AND UNDERGROUND FLOW, CONVEYANCE, DETENTION, RETENTION, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS AND AREAS WITHIN THE SUBDIVISION AND FROM PROPERTIES NOT INCLUDED WITHIN THE SUBDIVISION.

2. STORMWATER DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE STORMWATER DRAINAGE AND DETENTION EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.

3. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE STORMWATER DRAINAGE AND DETENTION EASEMENTS, NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID EASEMENTS UNLESS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.

4. STORMWATER DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE OWNER OF THE RESERVE AREAS CONTAINING THE STORMWATER DRAINAGE AND DETENTION EASEMENTS TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED STORMWATER DRAINAGE, RETENTION, AND DETENTION FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION, AND THE ASSOCIATION SHALL MAINTAIN SAID FACILITIES IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:

- A) GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR (4) WEEKS, OR LESS.
- B) CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
- C) THE STORMWATER DETENTION EASEMENTS SHALL BE KEPT FREE OF DEBRIS.
- D) CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

5. LANDSCAPING, APPROVED BY THE CITY OF BIXBY, OKLAHOMA, SHALL BE ALLOWED WITHIN THE STORMWATER DRAINAGE AND DETENTION EASEMENTS.

6. IN THE EVENT THE OWNER OF THE RESERVE AREAS SUBJECT TO THE STORMWATER DRAINAGE AND DETENTION EASEMENTS SHOULD FAIL TO PROPERLY MAINTAIN THE STORMWATER DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION, THE ALTERATION OF GRADE, OR THE ACCUMULATION OF SILTATION WITHIN A STORMWATER DRAINAGE AND DETENTION EASEMENT, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE RESERVE AREA OWNER. IN THE EVENT SUCH OWNER SHOULD FAIL TO PAY THE COSTS OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BIXBY, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS WITH THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE RESERVE AREA OWNER, OR AS DETERMINED BY THE CITY OF BIXBY, OKLAHOMA, AGAINST EACH RESIDENTIAL LOT WITHIN THE SUBDIVISION ON A PRO RATA BASIS. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

H. OVERLAND DRAINAGE EASEMENTS

1. THE OWNER/DEVELOPER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" OR "ODE" FOR THE PURPOSES OF PERMITTING OVERLAND AND UNDERGROUND FLOW, AND CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM VARIOUS LOTS AND AREAS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION. DRAINAGE FACILITIES LOCATED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF BIXBY, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE BIXBY CITY ENGINEER.

2. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED WITHIN AN OVERLAND DRAINAGE EASEMENT, NOR SHALL THERE BE ANY ALTERATION OF THE GRADE WITHIN THESE EASEMENTS UNLESS APPROVED BY THE BIXBY CITY ENGINEER. PROVIDED THAT THE PLANTING OF TURF SHALL NOT REQUIRE THE APPROVAL OF THE BIXBY CITY ENGINEER'S OFFICE.

3. THE OWNER OF THE LOT OR RESERVE AREA CONTAINING THE OVERLAND DRAINAGE EASEMENT SHALL MAINTAIN THE DRAINAGE FACILITIES LOCATED WITHIN SUCH EASEMENT. THE MAINTENANCE SHALL BE PERFORMED TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS, INCLUDING SLOPE MAINTENANCE, REPAIR OF APPURTENANCES, AND REMOVAL OF OBSTRUCTIONS AND SILTATION.

4. IN THE EVENT THE LOT OR RESERVE AREA OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE DRAINAGE FACILITIES LOCATED WITHIN OVERLAND DRAINAGE EASEMENTS AS OUTLINED HEREIN, THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, THROUGH ITS DESIGNATED CONTRACTOR, MAY ENTER THE OVERLAND DRAINAGE EASEMENT AREA AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE OWNER THEREOF.

5. IN THE EVENT THE LOT OR RESERVE AREA OWNER SHOULD FAIL TO PAY THE COST OF SAID MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BIXBY, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BECOME A LIEN AGAINST THE LOT OR RESERVE AREA. SUCH LIEN MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

I. FENCE EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY ESTABLISH FOR THE BENEFIT OF THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION, AND RESERVES FOR FUTURE GRANT TO THE PROPERTY OWNERS' ASSOCIATION (AS DEFINED BELOW), FENCE EASEMENTS OVER AND UPON THE AREAS DESIGNATED AS "FENCE EASEMENT" OR "F/E" AND SHOWN ON THE ACCOMPANYING PLAT. THE FENCE EASEMENTS ARE FOR THE LIMITED PURPOSE OF CONSTRUCTING AND MAINTAINING PERIMETER DECORATIVE FENCES AND ENTRY FEATURES INCLUDING BUT NOT LIMITED TO SIGNAGE, FENCES, WALLS, IRRIGATION SYSTEMS, LANDSCAPING, AND LIGHTING, AND FOR THE MAINTENANCE AND REPAIR OF ALL OF SAID FENCES AND ENTRY FEATURES, TOGETHER WITH THE RIGHT OF ACCESS OVER, ACROSS, AND ALONG SUCH EASEMENTS AND OVER, ACROSS, AND ALONG ALL AREAS WHICH CONTAIN SUCH EASEMENTS. WITHIN THE FENCE EASEMENTS, THE PROPERTY OWNERS' ASSOCIATION (AS DEFINED BELOW) SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL FENCES AND WALLS AND ALL LANDSCAPING LOCATED WITHIN THE PUBLIC STREET AREAS LOCATED OUTSIDE OF SUCH FENCES AND WALLS. THE RIGHTS HEREIN ESTABLISHED AND GRANTED SHALL BE SUBORDINATE TO THE RIGHTS ESTABLISHED AND GRANTED BY UTILITY EASEMENTS ELSEWHERE DEDICATED HEREIN.

SECTION II - RESERVE AREAS

A. PURPOSE

FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION, ALL RESERVE AREAS ARE HEREBY ESTABLISHED FOR VARIOUS PURPOSES INCLUDING, BUT NOT NECESSARILY LIMITED TO: PRIVATE STREETS, STORMWATER DRAINAGE AND DETENTION, OPEN SPACE, PARK AND OTHER NEIGHBORHOOD AMENITIES AND RELATED PARKING, ENTRY FEATURES, SIGNAGE, LANDSCAPING, IRRIGATION, LIGHTING, OTHER USES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA, AND WHERE SPECIFICALLY DESIGNATED, FOR UTILITY EASEMENTS, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE PROPERTY OWNERS' ASSOCIATION, AS SET FORTH WITHIN SECTION IV HEREOF.

B. RESERVE B

RESERVE B IS HEREBY ESTABLISHED BY GRANT OF THE OWNER/DEVELOPER FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION, THEIR GUESTS AND INVITEES, FOR THE PURPOSE OF PROVIDING FOR PRIVATE STORMWATER DRAINAGE AND DETENTION AND PRIVATE RECREATIONAL USES SUCH AS OPEN SPACE, PRIVATE PARK, SIGNAGE, FENCES AND WALLS, LANDSCAPING, IRRIGATION, LIGHTING, AND OTHER RECREATIONAL USES AND FACILITIES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA. RESERVE B, WHETHER OR NOT SO DESIGNATED ON THE ACCOMPANYING PLAT, IS HEREBY DEDICATED AS A STORMWATER DRAINAGE AND DETENTION EASEMENT, PROVIDED THAT THE DEVELOPER RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN PRIVATE RECREATIONAL USES AND FACILITIES AS OUTLINED HEREINAbove.

C. RESERVE C

1. RESERVE C, AS DESIGNATED ON THE ACCOMPANYING PLAT, IS HEREBY ESTABLISHED BY GRANT OF THE OWNER/DEVELOPER FOR PRIVATE STREETS FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN THE SUBDIVISION WHICH DERIVE ACCESS FROM THE PRIVATE STREETS THEREIN, THEIR GUESTS AND INVITEES, FOR THE PURPOSE OF PROVIDING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM SUCH LOTS IN THE SUBDIVISION AND TO AND FROM THE PUBLIC STREETS WITHIN AND BORDERING THE SUBDIVISION, AND SHALL BE LIMITED TO USE FOR PRIVATE STREETS, FOR PROVIDING PRIVATE STORM SEWER AND DRAINAGE FACILITIES TO CONTROL STORMWATER RUNOFF, FOR UTILITIES, AND FOR PROVIDING ENTRANCE SECURITY FACILITIES, DECORATIVE ENTRY FEATURES, SIGNAGE, DECORATIVE FENCING, LANDSCAPING, IRRIGATION, AND LIGHTING, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE PROPERTY OWNERS' ASSOCIATION (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.

2. 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 C AND TO OPERATE THEREON ALL SERVICE, EMERGENCY AND GOVERNMENT VEHICLES INCLUDING, BUT NOT LIMITED TO, POLICE, FIRE, AND EMERGENCY MEDICAL VEHICLES AND EQUIPMENT.

3. THE OWNER/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:

- A) CONSTRUCT AND MAINTAIN STREETS EXTENDING THE FULL LENGTH OF RESERVE C, AS DEPICTED ON THE ACCOMPANYING PLAT, AND MEETING OR EXCEEDING

CITY OF BIXBY DESIGN STANDARDS FOR A MINOR LOCAL RESIDENTIAL PUBLIC STREET.

B) PROHIBIT THE ERECTION OF ANY ARCH OR SIMILAR STRUCTURE OVER ANY PRIVATE STREET WITHIN RESERVE C, AS DEPICTED ON THE ACCOMPANYING PLAT, WHICH WOULD OBSTRUCT THE PASSAGE OF ANY GOVERNMENTAL OR EMERGENCY VEHICLE AND SPECIFICALLY ANY FIRE SUPPRESSION VEHICLE.

C) 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.

4. 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 OR PRIVATE STORM SEWERS WITHIN THE SUBDIVISION, NOR HAVE ANY IMPLIED OBLIGATION TO ACCEPT ANY SUBSEQUENT TENDER OF CONVEYANCE OF ANY PRIVATE STREET OR PRIVATE STORM SEWER WITHIN THE SUBDIVISION.

D. ALL RESERVE AREAS

1. ALL COSTS AND EXPENSES ASSOCIATED WITH ALL RESERVE AREAS, INCLUDING MAINTENANCE OF IMPROVEMENTS AND RECREATIONAL FACILITIES THEREIN, SHALL BE THE RESPONSIBILITY OF THE OWNERS THEREOF, WHICH SHALL BE THE PROPERTY OWNERS' ASSOCIATION UPON CONVEYANCE OF THE RESERVE AREAS TO THE ASSOCIATION.

2. IN THE EVENT THE RESERVE AREA OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE RESERVE AREA, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER AND PERFORM NECESSARY MAINTENANCE AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER OF THE RESERVE AREA. IN THE EVENT THE OWNER OF THE RESERVE AREA SHOULD FAIL TO 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 SPECIFICALLY PROVIDED HEREIN FOR THE RESERVE AREA, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

3. EACH LOT AND RESERVE AREA OWNER OR RESIDENT AND MEMBER OF THE PROPERTY OWNERS' ASSOCIATION AGREES TO HOLD HARMLESS THE OWNER/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 OWNER/DEVELOPER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT OR MEMBER OF THE PROPERTY OWNERS' ASSOCIATION 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 ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

Conditional Final Plat

BXPUD-22.05

THE PRESERVE
Block 5

A TRACT OF LAND THAT IS PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-SIX (26), 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, THE PRESERVE WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD NO. BXPUD-22.05) AS PROVIDED WITHIN TITLE 11 OF THE BIXBY, OKLAHOMA, CITY CODE (BIXBY ZONING CODE), AND

WHEREAS PUD NO. BXPUD-22.05 WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF BIXBY PLANNING COMMISSION ON JULY 18, 2022, AND APPROVED BY THE BIXBY CITY COUNCIL ON AUGUST 08, 2022, THE IMPLEMENTING ORDINANCE NO. 2401 WITH EMERGENCY CLAUSE ATTACHED BEING ADOPTED BY THE COUNCIL AUGUST 08, 2022, 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 FOR DEVELOPMENT AREA A (ALL OF "THE PRESERVE" EXCEPT BLOCK 20)

GROSS LAND AREA: 6,534,000 SF 150 AC
NET LAND AREA: 6,534,000 SF 150 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: 375 [24 IN THIS PLAT]
MINIMUM LOT WIDTH †: 55 FT : 90 FT ††
MINIMUM LOT SIZE: 5,500 SF : 12,000 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 : 4,000 SF *** ††
MINIMUM YARD SETBACKS:
FRONT YARD: 20 FT : 25 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 SF : 2,500 SF ††
FIRST FLOOR EXTERIOR MATERIALS: 75% (SEE SECTION III.D.3.)
* MINIMUM LAND AREA PER DWELLING UNIT IS SATISFIED BY THE PROPORTION OF MAXIMUM NUMBER OF LOTS TO GROSS LAND AREA AS PROVIDED IN ZONING CODE SECTION 11-7I-5.A.1. LOTS ARE THEREFORE NOT SUBJECT TO THIS REQUIREMENT ON AN INDIVIDUAL BASIS.
** ARCHITECTURAL FEATURES MAY EXTEND A MAX. OF FIVE (5) FEET ABOVE MAXIMUM PERMITTED BUILDING HEIGHT.
*** LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-7I-5.C OF THE BIXBY ZONING CODE.
† 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.C. RESIDENTIAL LOT RATIOS AND SUPPLEMENTAL DEVELOPMENT STANDARDS.

B. DEVELOPMENT STANDARDS FOR DEVELOPMENT AREA B (NOT INCLUDED IN THIS PLAT)

DEVELOPMENT AREA B SHALL BE DEVELOPED IN ACCORDANCE WITH THE USE AND DEVELOPMENT STANDARDS OF THE UNDERLYING ZONING.
GROSS LAND AREA: 435,600 SF 10 AC
NET LAND AREA: 435,600 SF 10 AC

C. RESIDENTIAL LOT RATIOS AND SUPPLEMENTAL DEVELOPMENT STANDARDS

THE FOLLOWING RATIOS AND RESIDENTIAL BULK AND AREA DEVELOPMENT STANDARDS SHALL APPLY WITHIN DEVELOPMENT AREA A:

RESERVE LOTS:
MINIMUM LOT TYPE RATIO: 5% OF PUD
MAXIMUM LOT TYPE RATIO: N/A
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
MINIMUM DWELLING SIZE: 2,500 SF

* LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-7I-5.C OF THE BIXBY ZONING CODE.
** 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: 15% OF PUD
MAXIMUM LOT TYPE RATIO: N/A
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
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
MINIMUM DWELLING SIZE: 2,200 SF

* LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-7I-5.C OF THE BIXBY ZONING CODE.
** 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: N/A
MAXIMUM LOT TYPE RATIO: 70% OF PUD
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
MINIMUM DWELLING SIZE: 1,650 SF

* LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-7I-5.C OF THE BIXBY ZONING CODE.
** 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: N/A
MAXIMUM LOT TYPE RATIO: 15% OF PUD
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)
MINIMUM DWELLING SIZE: 1,500 SF

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

D. DEVELOPMENT STANDARDS FOR ALL DEVELOPMENT AREAS
1. ACCESS AND CIRCULATION

INTERNAL STREETS SERVING THE PRESERVE WILL BE MINOR RESIDENTIAL STREETS AND ARE PROPOSED TO BE PUBLIC, WITH THE EXCEPTION OF THE GATED COTTAGE LOTS, WHICH SHALL BE SERVED BY PRIVATE, GATED STREETS (AND PRIVATE STORM SEWERS). AS PHASES DEVELOP, HOWEVER, ALL NEIGHBORHOODS 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 AND NO SIDEWALKS, OR SIDEWALKS ON ONE SIDE OF THE STREET. 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. 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 APPROVED AS OUTLINED ABOVE, 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 STREET RIGHT-OF-WAY SHALL BE PLACED IN A SIDEWALK EASEMENT.

2. 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 (PROPERTY) OWNERS' 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. ANY NONRESIDENTIAL SIGNAGE SHALL 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.

WHILE PROPERTY DESCRIPTIONS ARE PROVIDED FOR DEVELOPMENT AREAS A AND B, FINAL DEVELOPMENT AREA BOUNDARIES AND AREAS SHALL BE ESTABLISHED BY REQUIRED PUD SUBDIVISION PLATS, PROVIDED THAT THE MAXIMUM NUMBER OF DWELLING UNITS SHALL BE MAINTAINED.

AS USED WITHIN THIS PUD, MASONRY SHALL INCLUDE BRICK, NATURAL OR MANUFACTURED STONE, AND STUCCO. CEMENTITIOUS FIBER IS AN APPROVED ALTERNATIVE. MASONRY SHALL BE APPLIED TO A MINIMUM OF THREE (3) BUILDING SIDES AND TO THE FIRST-FLOOR TOP PLATE. MINIMUM MASONRY PERCENTAGES SHALL EXCLUDE WINDOWS, DOORS, AND BENEATH COVERED PATIOS AND PORCHES.

PHASE 1 OF DEVELOPMENT AREA A IS ESTIMATED TO INCLUDE APPROXIMATELY 253 LOTS. CONSTRUCTION OF THE NONRESIDENTIAL USE WITHIN DEVELOPMENT AREA B SHALL COMMENCE PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY RESIDENTIAL LOT WITHIN PHASE 2 OF DEVELOPMENT AREA A.

WHEN FULLY PLATTED, NOT LESS THAN 15% OR 24 ACRES OF THE PRESERVE SHALL BE PRESERVED AS OPEN SPACE FOR THE ENJOYMENT OF THE RESIDENTS WITHIN DEVELOPMENT AREA A.

4. 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 THE PRESERVE BLOCK 5 (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 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 II 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. 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 PUD "BXPUD-22.05" 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 PUD "BXPUD-22.05" 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.

PPM 171 DEVELOPMENT, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
BRIAN HUMPHREY, 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 BRIAN HUMPHREY, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF PPM 171 DEVELOPMENT, 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 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 "THE PRESERVE BLOCK 5", 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.

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



CITY OF BIXBY
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: January 21, 2025
RE: Legends Reserve

COMP PLAN AMENDMENT | (BXCP-24.05)

RE-ZONE | (BXZO-24.08) to Residential Single-family (RS-3)

PLANNED UNIT DEVELOPMENT | (BXPUD-24.09)

Applicant: Engineered By Design

REQUEST: The applicant is requesting a rezone (BXZO-24.08) from (CS) Commercial Shopping to (RS-3) Residential Single-Family and (CS) Commercial Shopping with an accompanying Planned Unit Development (BXPUD-24.09). Additionally, a Comprehensive Plan Amendment (BXCP-24.05) is being proposed to align future land use designations with the new zoning.

LOCATION: Northwest corner of East 111th Street South and South Mingo Road.

EXISTING ZONING: (CS) Commercial Shopping

PROPOSED ZONING: (RS-3) Residential Single-Family and (CS) Commercial Shopping with supplemental PUD.

PROJECT SUMMARY:

The applicant proposes the development of Legends Reserve, a proposed gated residential community and commercial shopping encompassing approximately 8.57 acres. The Legends Reserve PUD proposes a mixed-use development.

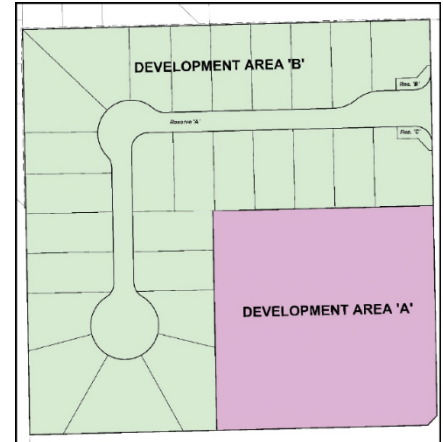
Development Area A:

A 2.51-acre Commercial Area with uses including retail, offices, and community services. Excluding medical marijuana and sexually oriented businesses.

Development Area B

A 6.06-acre Residential Area for medium-density (RS-3) single-family homes.

- Maximum number of dwelling units: 30
- Minimum dwelling size: 2,200 sq. ft.



KEY FEATURES OF THE PUD:

- **Landscaping & Screening:** 8-foot masonry fences between commercial and residential areas.
- **Building Materials:** Residential buildings require 100% masonry or stone on the first-floor exterior walls.
- **Access & Circulation:**
 - **Development Area A:** All private driveway and/or street connections along South Mingo Road and East 111th Street South shall be Driveways subject to City Engineer and Fire Marshal approval.
 - **Development Area B:** There shall be a single, gated entrance from South Mingo Road. Private streets will be located within a minimum 30' wide reserve area. Interior vehicular access shall be derived from the
- **Drainage & Utilities:**
 - A 12-inch city water line runs north to south along the west side of South Mingo Road.
 - 8-inch sanitary sewer lines are available to extend and serve the development.

AREA A- COMMERCIAL

	City Code	PUD
Maximum Floor Area Ratio	0.50	0.75
Maximum Floor Area	54,736 SF	82,104 SF
Maximum Building Height	5 Stories or 70 feet	2 Stories or 40 feet
Minimum Arterial Street Frontage	150 feet	150 feet
Minimum Building Setbacks		
• From Arterial Street R-O-W	25 feet	50 feet
• From Abutting Residential District	10 feet	10 feet

AREA B- RESIDENTIAL

	City Code	PUD
Maximum Number of Dwelling Units	31	30*
Minimum Lot Width	65	60
Minimum Lot Area	6,900 SF	7,500 SF
Minimum Arterial Street Frontage	150 feet	150 feet
Minimum Land Area per Dwelling Unit	8,400 SF	8,400 SF
Maximum Building Height	3 Stories or 48 feet	2 Stories or 35 feet
Minimum Building Setbacks		
From Arterial Street Right-of-Way	35 feet	25 feet
Front Yard from private street reserve area	25 feet	20 feet
Rear Yard	20 feet	20 feet
Interior Side Yard	5 feet	5 feet
Side Yard abutting a private street reserve area	5 feet	5 feet

* Based on a maximum of 8,400 SF per Dwelling Unit per Table 2 – Section 11-7B-4

Figure 1: Conceptual Site Plan

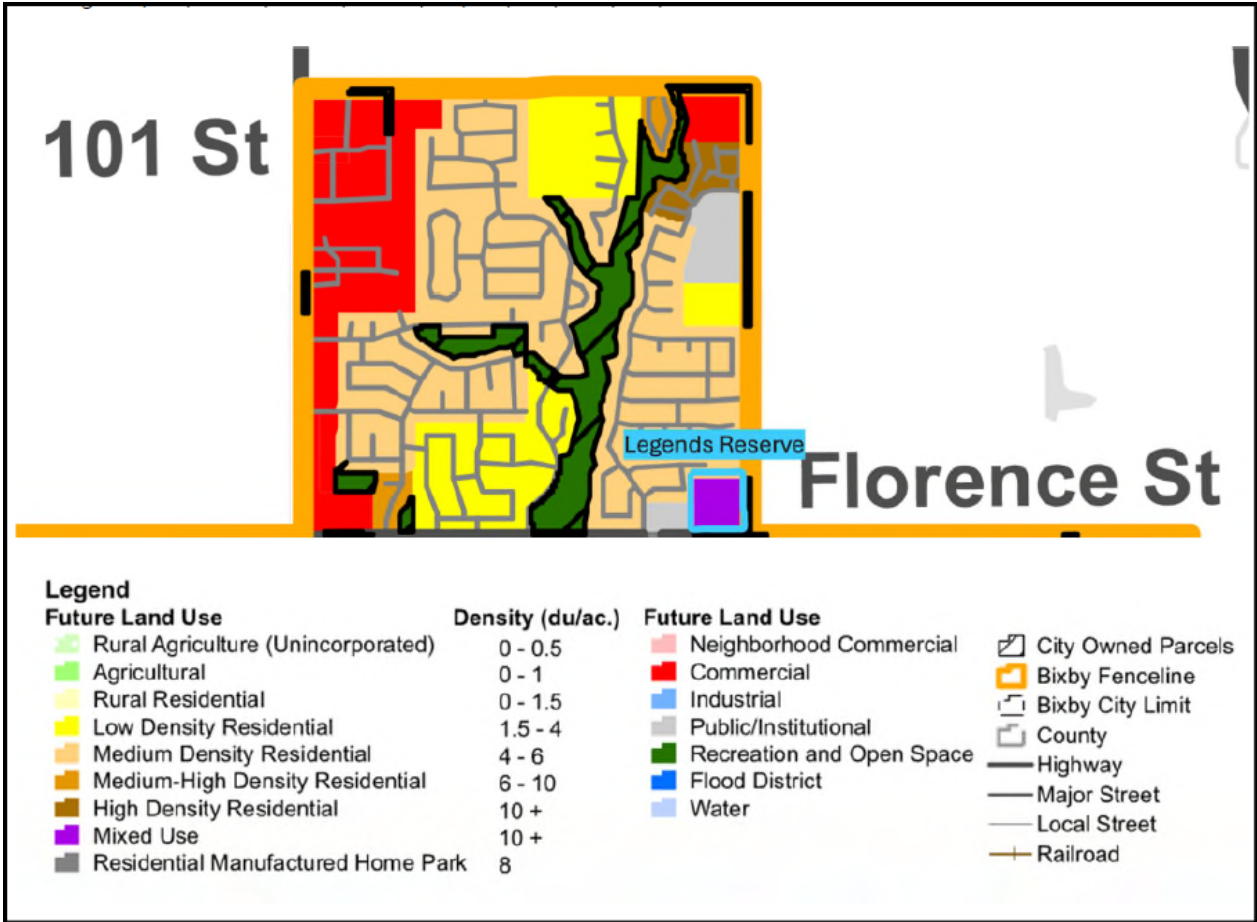


COMPREHENSIVE PLAN:

The current Comprehensive Plan designates the area as Mixed-use, requiring a plan amendment to accommodate single-family residential uses.

EXISTING COMPREHENSIVE PLAN:

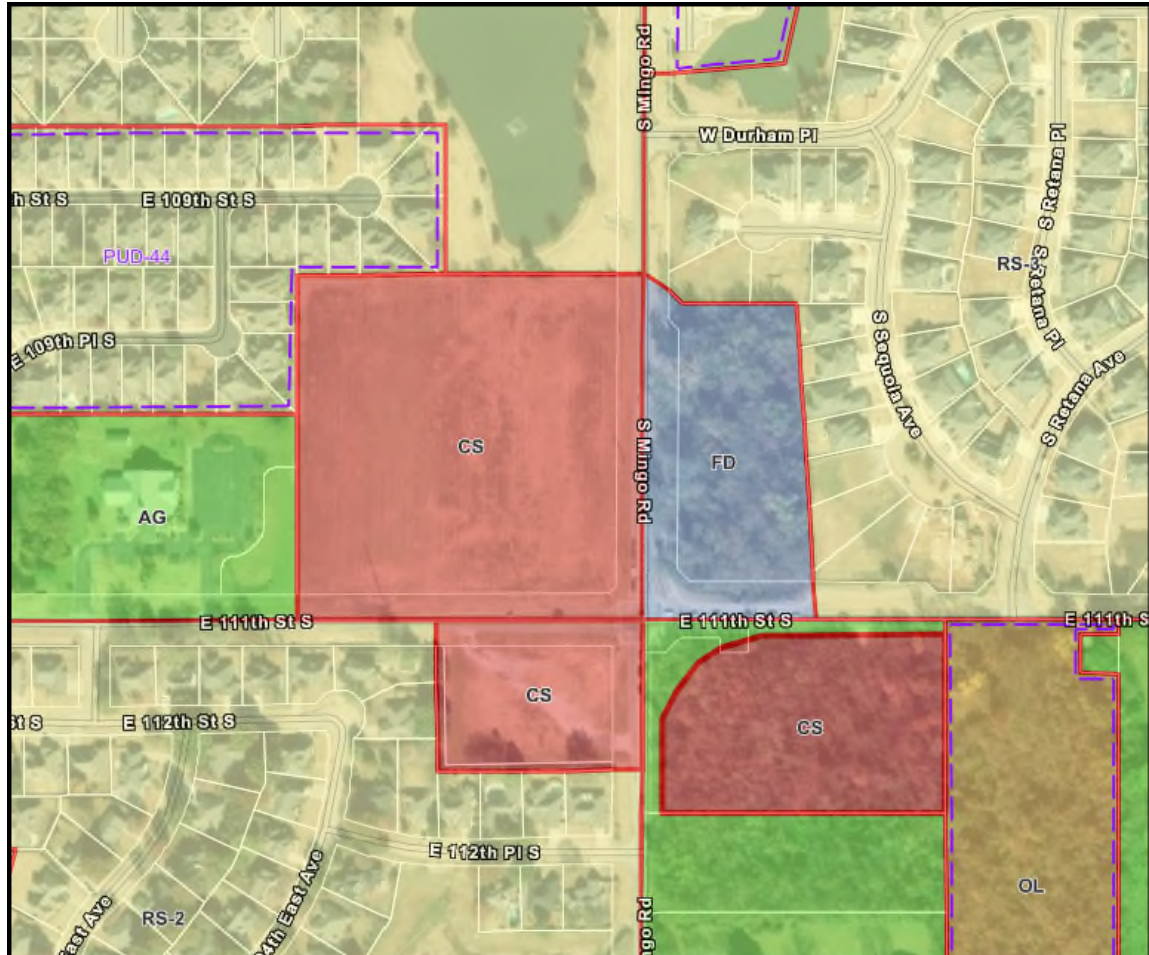
Figure 2: Comprehensive Plan 2030 Future Land Use Designation



SURROUNDING ZONING AND LAND USE:

North: (RS-3) Residential Single-Family: The Legends
South: (CS) Commercial Shopping and (RS-2) Residential Single Family: Country Crossing
East: Berwick South Flood District (Broken Arrow)
West: (AG) Agriculture and (RS-4) Residential Single Family (PUD 44): Village At The Legends

Figure 3: Existing zoning for surrounding areas.



PUBLIC INPUT:

Staff did receive two public inquiries wanting to know what was being proposed.

ENGINEERING COMMENTS:

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

STAFF COMMENTS:

Staff has reviewed the proposed PUD BXPUD-24.09 for Legends Reserve, 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 24.08). 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.

FIGURES:

- Figure 1: Conceptual Site Plan
Figure 2: Comprehensive Plan 2030
Figure 3: Existing Zoning

ATTACHMENTS:

Attachment 1: Planned Unit Development Booklet dated December 20, 2024

Planned Unit Development

Legends Reserve

8.57 ACRES

East 111th St. S. & S Mingo Rd.

Bixby, Oklahoma

December 3, 2024



DEVELOPMENT ANALYSIS
PROJECT MANAGEMENT
DRAFTING & DESIGN

P.O. Box 548
Bixby, Oklahoma 74008
Phone: (918) 798-8356



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I. Development Concept

Legends Reserve is a residential/commercial Planned Unit Development of 8.57 acres located at the southeast corner of East 111th Street South and South Mingo Road in Bixby, Tulsa County, State of Oklahoma. Legends Reserve provides for a variety of allowed uses within the commercial area and transitions to a non-gated, single-family residential community comprised of medium density homes.

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

EAST:	South Mingo Road
NORTH:	RS-3, Residential-Single Family
WEST:	AG, Agriculture & RS-4 (PUD 44)
SOUTH:	East 111 th Street South

The current zoning map designates the entire property as CS Commercial district.

The location of private streets, amenities and open space have been designed to appropriately buffer and transition commercial land uses and density from existing residential zoning districts.

This PUD establishes the development standards, allocation of uses, etc., however, each individual, specific site location or lot shall provide a detailed site plan for each phase of development.

A master property owners association will be formed for the neighborhood and dues established for the maintenance of common areas and amenities. Covenants for the neighborhood have been prepared to set forth minimum dwelling sizes, percent of masonry and other criteria which establish and maintain a quality development.

PUD Legal Description

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4 SE/4) OF SECTION TWENTY-FIVE (25), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, LESS AND EXCEPT A TRACT FOR STREET BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 25, THENCE S 88°37'00" W AND ALONG THE SOUTH LINE OF SAID SE/4 A DISTANCE OF 660.79 FEET; THENCE N 01°02'03" W A DISTANCE OF 50.00 FEET TO THE SOUTHEAST CORNER OF RESERVE "A" OF THE TRINITY PRESBYTERIAN CHURCH USA RECORDED PLAT NUMBER 5793 THEREOF; THENCE N 88°37'00" E AND PARALLEL TO THE SOUTH LINE OF SAID SE/4 A DISTANCE OF 596.28 FEET; THENCE N 43°47'14" E A DISTANCE OF 20.57 FEET; THENCE N 01°02'33" W AND PARALLEL TO THE EAST LINE OF SAID SE/4 A DISTANCE OF 597.01 FEET; THENCE N 88°37'00" E A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST LINE OF SAID SE/4; THENCE S 01°02'33" E AND ALONG THE EAST LINE OF SAID SE/4 A DISTANCE OF 661.51 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 373,309.2 SQ. FEET OR 8.57 ACRES.

Development Area A - Legal Description

COMMENCING AT THE SOUTHEAST CORNER OF RESERVE "A" OF THE TRINITY PRESBYTERIAN CHURCH USA RECORDED PLAT NUMBER 5793 THEREOF; THENCE N 88°37'08" E AND PARALLEL TO THE SOUTH LINE OF SAID SE/4 A DISTANCE OF 280.01 FEET TO THE POINT OF BEGINNING; THENCE N 01°02'04" W A DISTANCE OF 331.40 FEET; THENCE N 88°36'12" E A DISTANCE OF 330.60 FEET; THENCE S 01°02'25" E A DISTANCE OF 316.99 FEET; THENCE S 43°47'22" W A DISTANCE OF 20.57 FEET; THENCE S 88°37'08" W A DISTANCE OF 316.13 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 109,472.75 SQ. FEET OR 2.51 ACRES.

Development Area B - Legal Description

BEGINNING AT THE SOUTHEAST CORNER OF RESERVE "A" OF THE TRINITY PRESBYTERIAN CHURCH USA RECORDED PLAT NUMBER 5793 THEREOF; THENCE N 01°02'04" W A DISTANCE OF 611.33 FEET; THENCE N 88°36'12" E A DISTANCE OF 610.57 FEET; THENCE S 01°02'25" E A DISTANCE OF 280.01 FEET; THENCE S 88°36'12" W A DISTANCE OF 330.60 FEET; THENCE S 01°02'04" E A DISTANCE OF 331.40 FEET; THENCE S 88°37'08" W A DISTANCE OF 280.01 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 263,836.45 SQ. FEET OR 6.06 ACRES.

EXHIBIT A
VICINITY MAP



EXHIBIT B
AERIAL PHOTO



EXHIBIT C

SITE TOPOGRAPHY

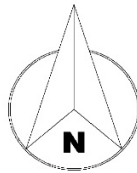
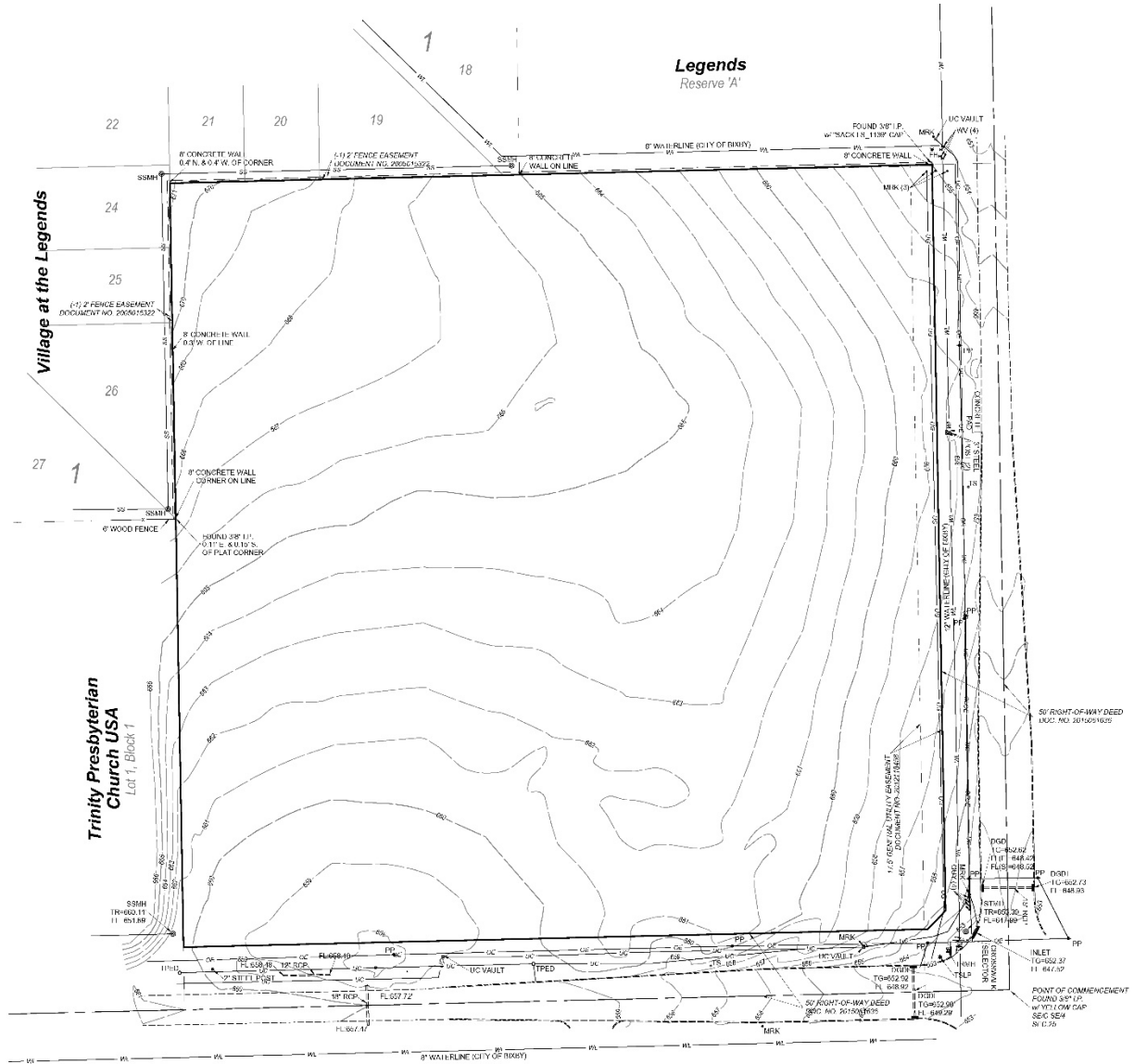


EXHIBIT D
CURRENT ZONING MAP

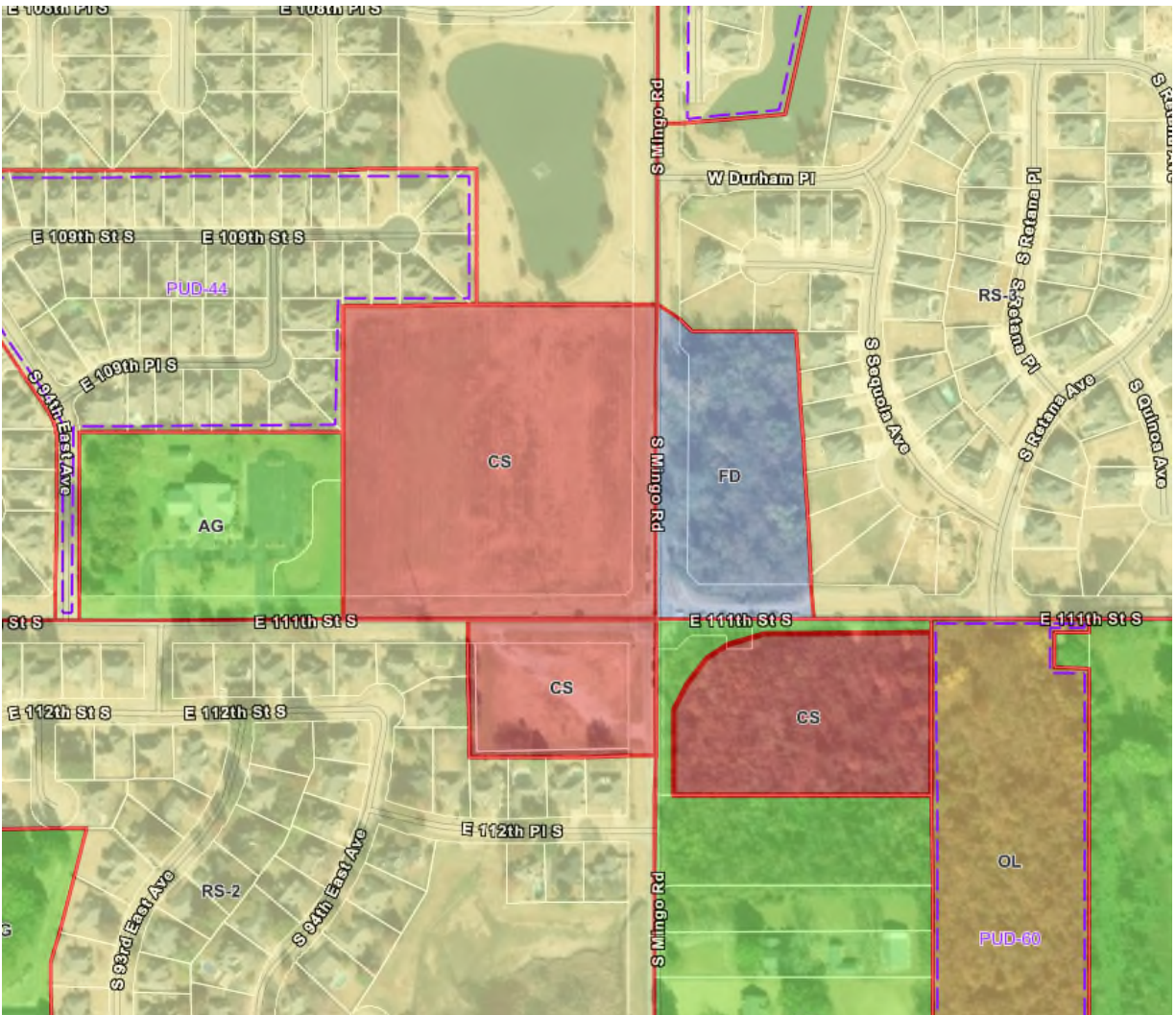
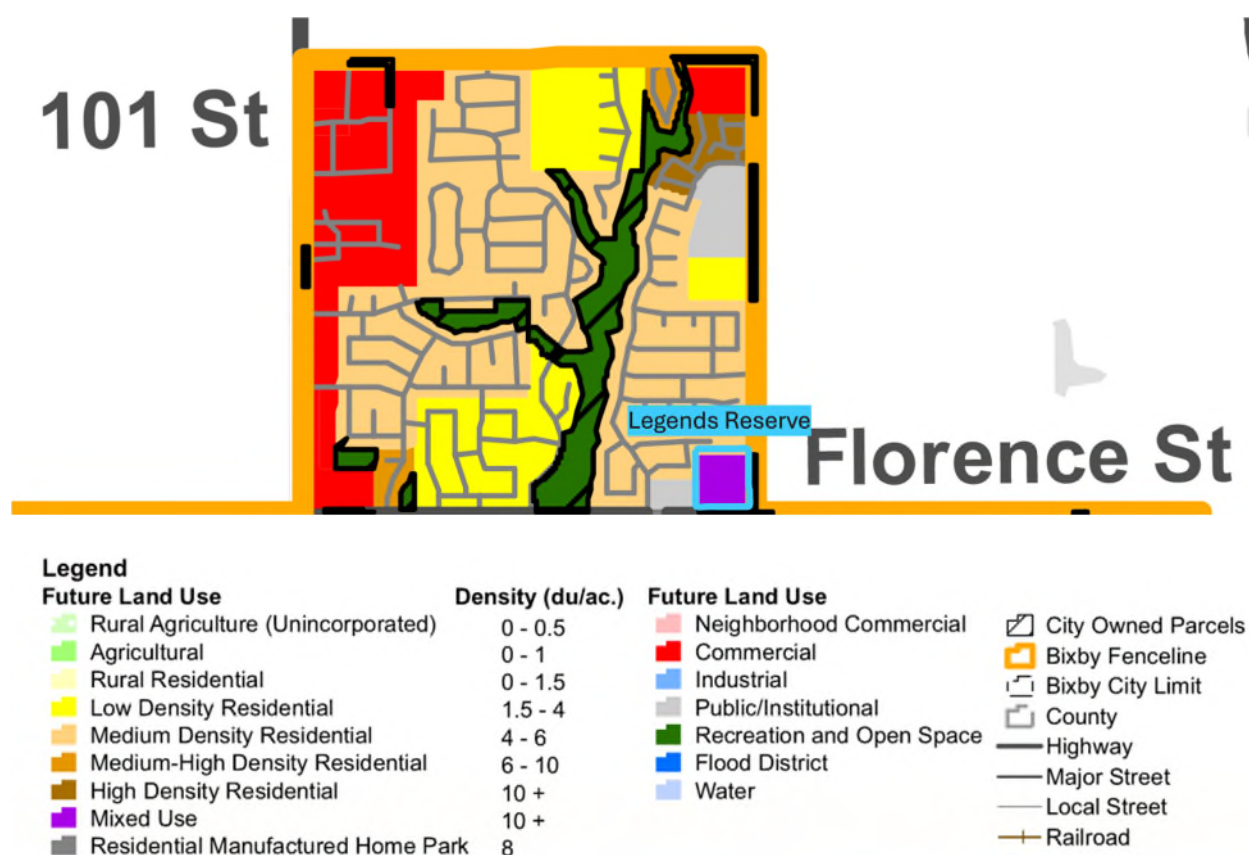


EXHIBIT E COMPREHENSIVE PLAN MAP

Mixed Use

The Mixed Use designation denotes areas where multiple unrelated uses are permitted on a single lot, clustered together to create a dense, walkable, and active urban area. Multiple uses may be stacked vertically in a single structure, or horizontally in a well-planned fashion. These areas should be pedestrian-oriented and located at focal points within the City, such as Downtown. Density: 10+ du/ac

Zoning: RD, RT, RM-1, RM-2, RM-3, CS, OL, CG, OM, CH, ST



**COMP PLAN AMENDMENT REQUIRED TO ALLOW FOR SINGLE-FAMILY
RESIDENTIAL LAND USE. TO BE DISCUSSED AND UPDATED ACCORDINGLY...**

EXHIBIT F

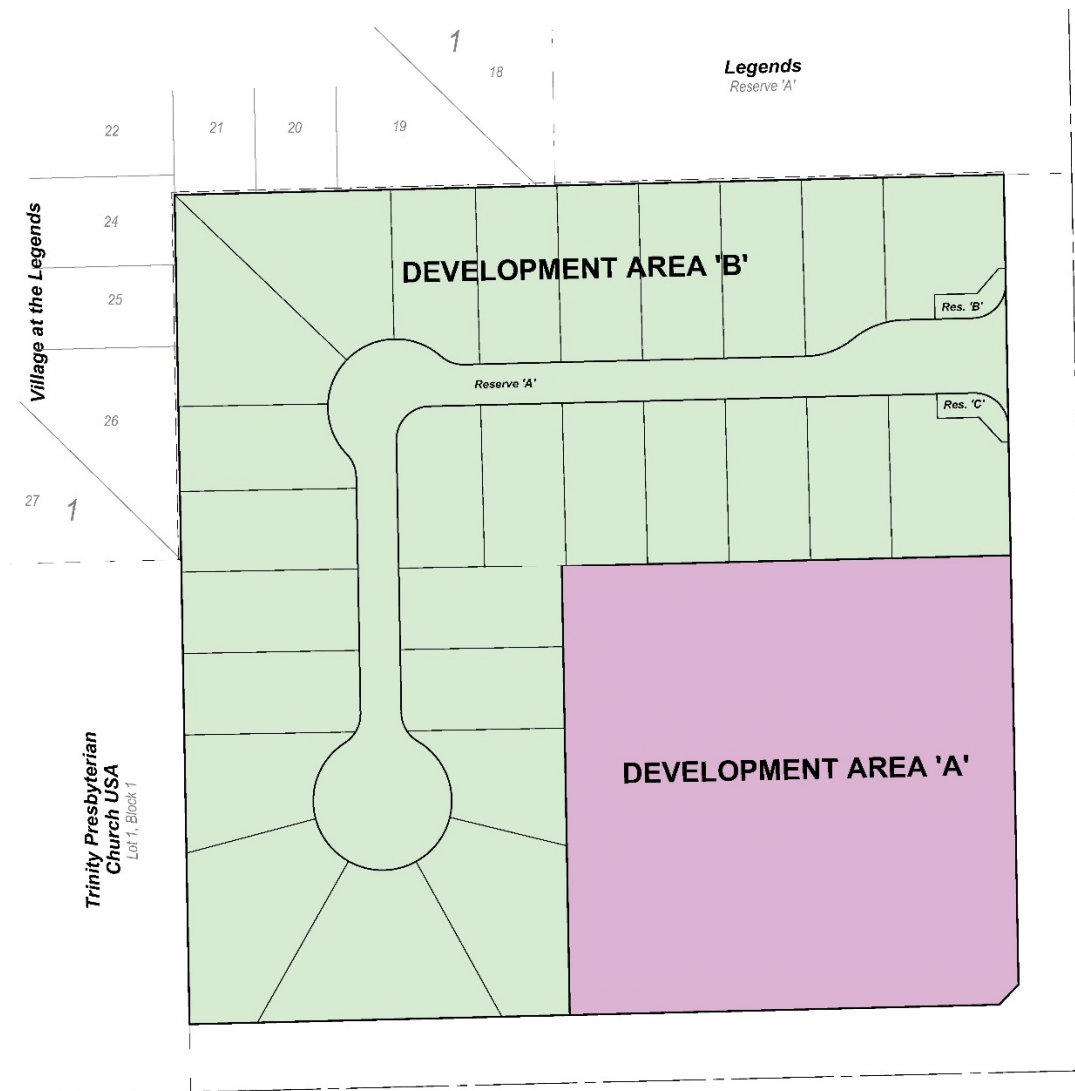
CONCEPTUAL SITE PLAN



II. Development Standards

DEVELOPMENT AREAS SUMMARY

AREA	USE	SF	ACRES	% OF TOTAL	ZONING
A	Commercial Shopping	109,472.75	2.51	29.3	CS
B	Single-Family Residential	263,745.94	6.06	70.7	RS-3



DEVELOPMENT AREA A - Commercial

Net Lot Area: 109,472.75 SF (2.51 AC)

Permitted Uses:

- Use Unit 1: Areawide Uses
- Use Unit 4: Public protection and utility facilities
- Use Unit 5: Community services and similar uses
- Use Unit 10: Off street parking areas
- Use Unit 11: Offices and studios
- Use Unit 12. Entertainment establishments and eating establishments other than drive-ins
- Use Unit 13: Convenience goods and services
- Use Unit 14: Shopping goods and services
- Use Unit 19: Hotel, motel, and recreation facilities
- se Unit 4.4.60: Off-Street Parking: Personal Vehicle Storage

Excluded Uses:

- Medical marijuana dispensaries within Use Unit 13
- All uses classified as Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6)

Maximum Floor Area Ratio (PUD): 0.75

Maximum Floor Area Ratio (Bixby Zoning Code): 0.50

Maximum Floor Area (PUD):82,104 SF

Maximum Floor Area (Bixby Zoning Code):54,736 SF

Maximum Building Height (PUD): 2 Stories or 40 feet

Maximum Building Height (Bixby Zoning Code): 5 Stories or 70 feet

Minimum Arterial Street Frontage (PUD): 150 feet

Maximum Building Height (Bixby Zoning Code): 150 feet

Minimum Building Setbacks:

From Arterial Street Right-of-Way (PUD):50 feet

From Arterial Street Right-of-Way (Bixby Zoning Code):25 feet

From Abutting Residential District (PUD):10 feet

From Abutting Residential District (Bixby Zoning Code):10 feet

DEVELOPMENT AREA B - Residential

Net Lot Area: 263,745.94 SF (6.06 AC)

Permitted Uses:

- Use Unit 1: Areawide Uses
- Use Unit 5: Common area facilities (i.e. community park, playground, etc.)
- Use Unit 6: Single-family dwellings

Maximum Number of Dwelling Units (PUD): 30

Maximum Number of Dwelling Units (Bixby Zoning Code): 31

Based on maximum 8,400 SF per Dwelling Unit per Table 2 – Section 11-7B-4

Minimum Lot Width (PUD): 60

Minimum Lot Width (Bixby Zoning Code): 65

Minimum Lot Area (PUD): 7,500 SF

Minimum Lot Area (Bixby Zoning Code): 6,900 SF

Minimum Land Area per Dwelling Unit (PUD): 8,400 SF

Minimum Land Area per Dwelling Unit (Bixby Zoning Code): 8,400 SF

Maximum Building Height (PUD): 2 Stories or 35 feet

Maximum Building Height (Bixby Zoning Code): 3 Stories or 48 feet

Minimum Building Setbacks:

From Arterial Street Right-of-Way (PUD): 25 feet

From Arterial Street Right-of-Way (Bixby Zoning Code): 35 feet

Front Yard from private street reserve area (PUD): 20 feet

Front Yard, Non-Arterial (Bixby Zoning Code): 25 feet

Rear Yard (PUD): 20 feet

Rear Yard (Bixby Zoning Code): 20 feet

Interior Side Yard (PUD): 5 feet

Interior Side Yard (Bixby Zoning Code): 5 feet

Side Yard abutting a private street reserve area (PUD): 5 feet

Interior Side Yard (Bixby Zoning Code): 5 feet

Minimum Dwelling Size: 2,200 SF

III. General Provisions

Landscaping & Screening:

Along the western and eastern boundaries of Development Area A, where abutting residential lots, an 8-foot, masonry screening fence will be placed on the zoning line between commercial and residential in compliance with the Bixby Zoning Code.

Residential Building Materials:

The exterior walls of the first floor (up to the top of the first-floor plate line) of a dwelling shall be 100% masonry or stone; provided that the area of all windows, doors, other openings, and covered porches located on said exterior walls shall be excluded in the determination of the area of the exterior walls. Allowed exterior materials include brick, rock, stucco, stone and cementitious fiberboard.

Access & Circulation:

Development Area A – All private driveway and/or street connections along South Mingo Road and East 111th Street South shall be subject to the City Engineer and Fire Marshal's approval of locations, spacing, widths, and curb return radii. Fire apparatus roads shall be established and maintained throughout the development for emergency vehicles and comply with Bixby Municipal Code.

Development Area B - There shall be a single, gated entrance from South Mingo Road. Private streets will be located within a minimum 30' wide reserve area. Interior vehicular access shall be derived from the single entrance location with an approved dead-end turn around.

Topography and Existing Soils:

The property consists of gently sloping terrain from the northwest corner to the south and east. The Soil Survey of Tulsa County, Oklahoma was used to help identify soil types present on the site which consists of:

- 59.9%- Okay laom, 1 to 3 percent slopes
- 40.1%- Okay loam, 3 to 5 percent slopes

Drainage & Utilities:

Grading, drainage, and public utility infrastructure design shall be submitted to and approved by the City Engineer and in accordance with Bixby Engineering Design Criteria.

Platting Requirement:

No building permit shall be issued until the area comprising the Planned Unit Development has been included within a subdivision plat, submitted to, and approved by the Bixby Planning Commission and City Council and duly filed of record.



CITY OF BIXBY
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: January 21, 2025

RE: Bixby Farms

RE-ZONE | (BXZO-24.08) to Residential Single-family (RS-3)

PLANNED UNIT DEVELOPMENT | (BXPUD-24.09)

Applicant: Nathan Cross

REQUEST: The applicant is requesting a rezone (BXZO-24.06) from (AG) Agriculture to (RS-3) Residential Single-Family with an accompanying Planned Unit Development (BXPUD-24.07).

LOCATION: Approximately 1/4 mile north of the northeast corner of East 151st Street South and South Sheridan Road

EXISTING ZONING: (AG) Agriculture

PROPOSED ZONING: (RS-3) Residential Single-Family with supplemental PUD.

PROJECT SUMMARY: The applicant proposes a Planned Unit Development (PUD) for a single-family residential subdivision on approximately 40 acres. This project, named Bixby Farms, includes 145 lots with enhanced design standards and amenities. The development aligns with the “Medium Density Residential” designation in the City of Bixby’s 2018 Comprehensive Plan Future Land Use Map.

A companion rezoning application (BXZO-24.06) requests a change from AG to RS-3 zoning. The PUD seeks to create a unified residential community with increased design flexibility while ensuring compatibility with surrounding developments.

The site’s eastern portion falls within FEMA’s Shaded Zone X (500-year floodplain), while the remainder is outside the floodplain. Any anticipated constraints will be addressed during the engineering phase.

DEVELOPMENT CONCEPT: The proposed PUD limits development to 145 lots despite RS-3 zoning allowing up to 206 units. Lot widths vary: 60’ (41%), 65’ (32%), and 70’ (27%).

- Maximum number of dwelling units: 30
- Minimum dwelling size: 1,600 sq. ft.

KEY FEATURES OF THE PUD:

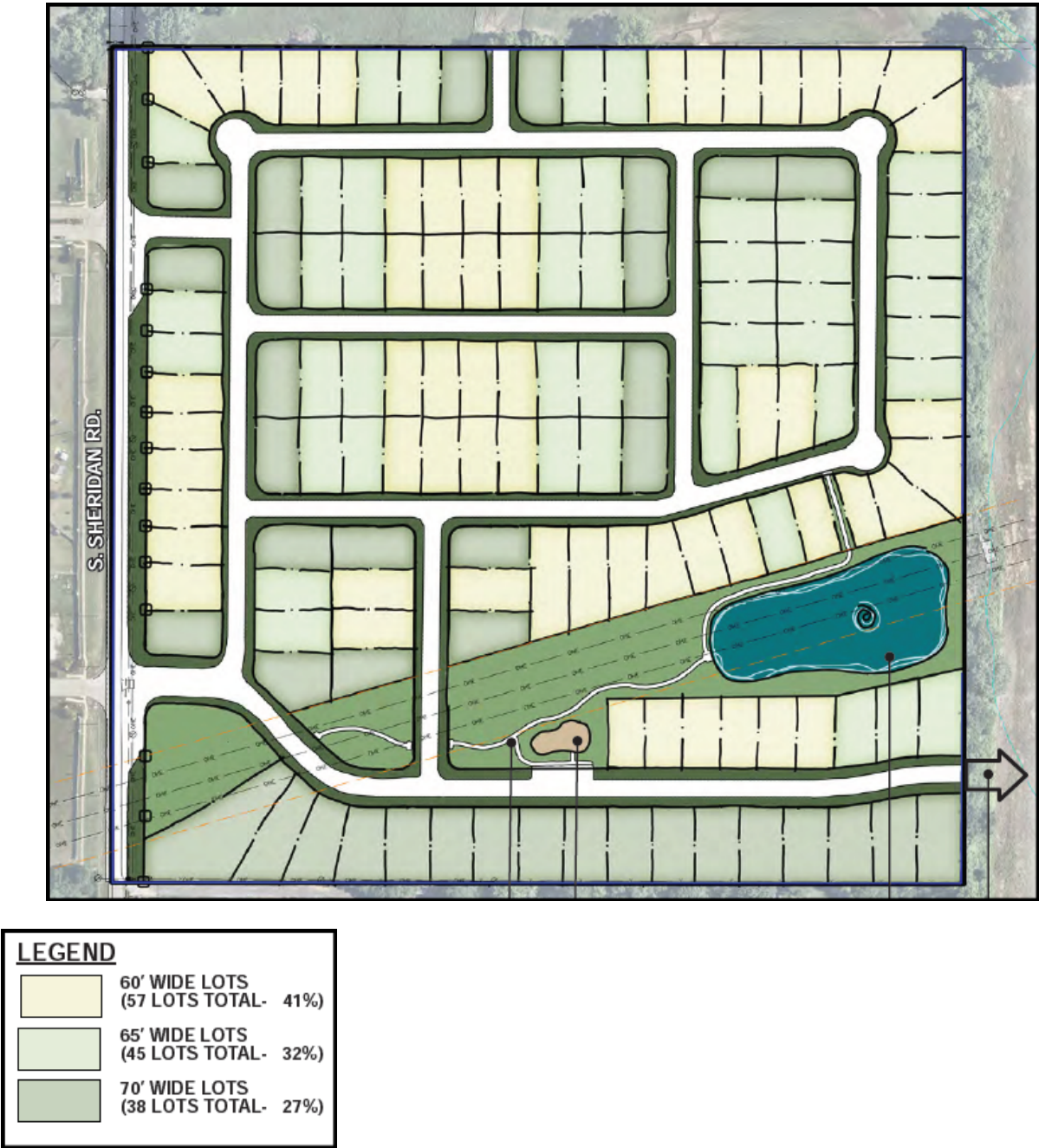
- **Landscaping & Screening:** Enhanced landscaping with one tree per lot.
- **Building Materials:** Residential buildings require 100% masonry or stone on the first-floor exterior walls.
- **Access & Circulation:**
 - Two access points on South Sheridan Road, with deceleration lanes for safety.
 - An east-west collector street will connect to future developments.
 - Internal public streets designed for local traffic.
 - Sidewalks:
 - Five feet wide along Sheridan Road.
 - Four feet wide within the subdivision.
 - ADA compliant.
- **Drainage & Utilities:**
 - Water Service: Looping 12-inch waterlines for reliability and fire protection.
 - Sanitary Sewer: Extending existing services, with plans to decommission the current lift station.
 - Stormwater Management: Detention facilities draining into a nearby Bixby Creek tributary. Final designs require City approval.
- **Amenities:** Includes a playground, walking trails, and preserved open space (10% minimum).

DEVELOPMENT STANDARDS

	City Code	PUD
Maximum Number of Dwelling Units	160	145
Minimum Lot Width	65 feet	60 feet*
Minimum Lot Size	6,900 SF	6,900 SF
Minimum Arterial Street Frontage	150 feet	150 feet
Minimum Land Area per Dwelling Unit	8,400 SF	8,400 SF
Maximum Building Height	3 Stories or 48 feet	2 Stories & 35 feet
Minimum Building Setbacks		
Front Yard	25 feet	25 feet
Rear Yard	20 feet	15 feet
Interior Side Yard	5 feet	5 feet
Side Yard abutting a street	5 feet	15 feet
Garage Facing Side Yard Street	20 feet	20 feet

* Of total lots, maximum of 41% at 60 FT, minimum of 27% at 70 FT, and balance at 65 FT in width.

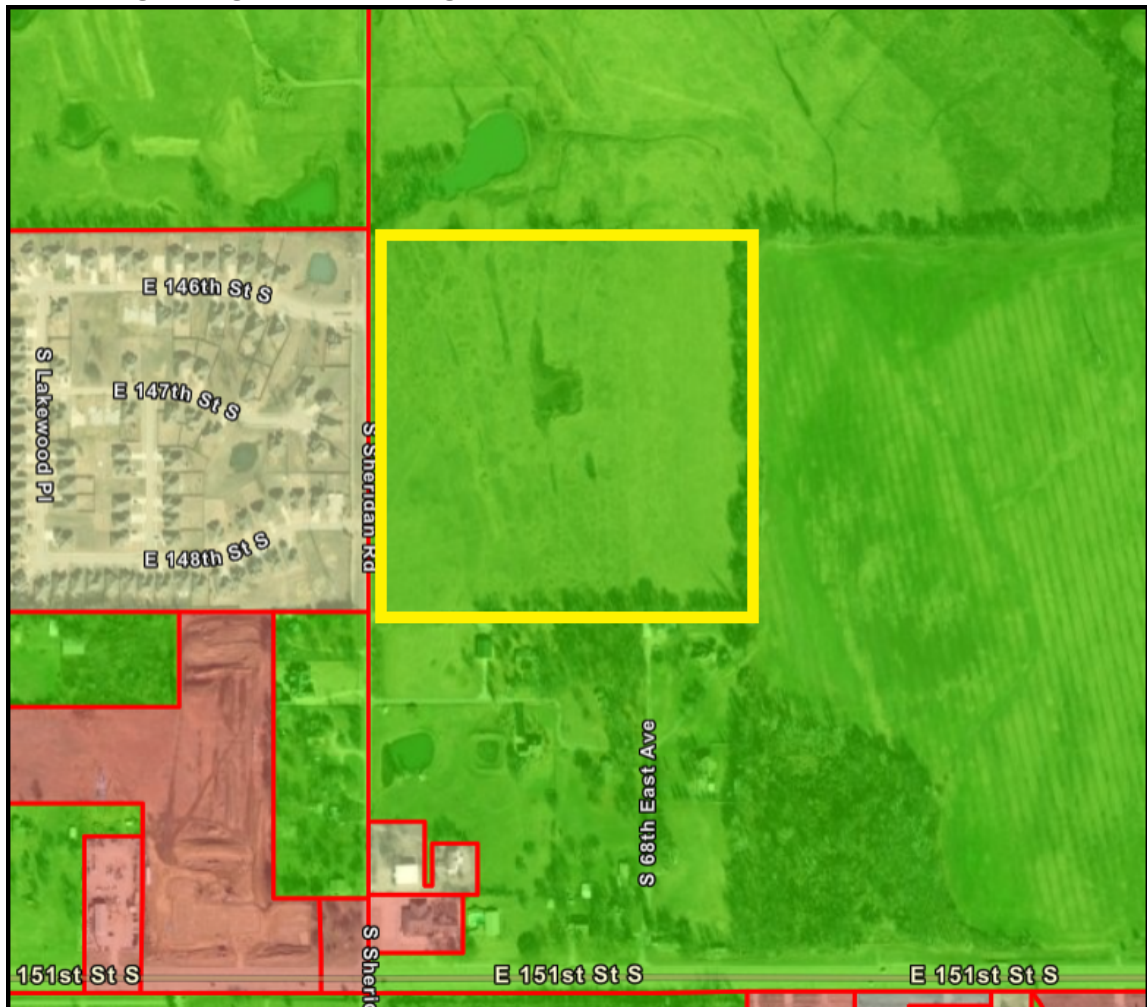
Figure 1: Conceptual Site Plan



SURROUNDING ZONING AND LAND USE:

North: (AG) Agriculture: Vacant
South: (AG) Agriculture: Single Family Dwellings
East: (AG) Agriculture: Vacant
West: (RS-3) Residential Single Family (PUD 72): Southridge At Lantern Hill

Figure 2: Existing zoning for surrounding areas.



PUBLIC INPUT:

Staff did receive one public inquiry wanting to know what was being proposed.

ENGINEERING COMMENTS:

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

STAFF COMMENTS:

Staff has reviewed the proposed PUD BXPUD-24.07 for Bixby Farms and 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 applicant has met with the City Council at a Work Session. The comments below are contingent upon the approval of the accompanying rezoning application (BXZO 24.06). The comments are listed as follows:

- All development activities conducted under this PUD shall comply with the recommendations outlined by the Bixby Fire Marshal, City Engineer, and City Attorney.
- PUD must address fencing along South Sheridan Road.

FIGURES:

Figure 1: Conceptual Site Plan

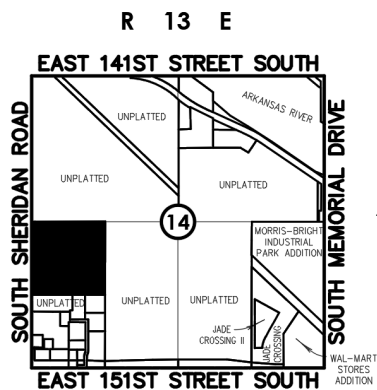
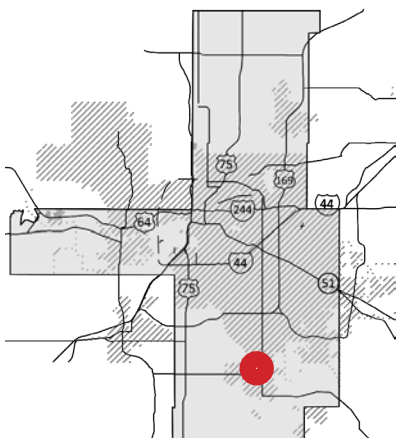
Figure 2: Existing Zoning

ATTACHMENTS:

Attachment 1: Planned Unit Development Booklet dated January 2025

BIXBY FARMS

A PLANNED UNIT DEVELOPMENT OF APPROXIMATELY 40 ACRES
LOCATED 1/4 MILE NORTH OF THE NORTHEAST CORNER OF EAST 151ST STREET SOUTH AND SOUTH SHERIDAN ROAD
CITY OF BIXBY, TULSA COUNTY, OKLAHOMA



Location Map
Scale: 1" = 2000'



JANUARY 2025

OWNER:
BIXBY FARMS COMPANY
C/O JORDAN HELMERICH
LEGACY COMMERCIAL PROPERTY
ADVISORS
1717 S. BOULDER AVE., STE. 106
TULSA, OK 74119

APPLICANT:
NATHAN CROSS
2 W. 2ND ST. S., STE. 700
TULSA, OK 74103
(918) 591-5252
NCROSS@DSDA.COM

Bixby Farms



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I. PROPERTY DESCRIPTION

Bixby Farms consists of approximately 40 acres located ¼ mile north of the northeast corner of East 151st Street South and South Sheridan Road in the City of Bixby, Oklahoma, and is more particularly described with the following statement:

PER GENERAL WARRANTY DEED DATED THE 16TH DAY OF JULY, 1969 AND
FILED OF RECORD JULY 16, 1969 IN BOOK 3896 ON PAGE 807 IN THE RECORDS
OF THE COUNTY CLERK OF TULSA COUNTY, STATE OF OKLAHOMA:

THE NW/4 OF THE SW/4 OF SECTION 14... ALL IN TOWNSHIP 17 NORTH, RANGE
13 EAST, TULSA COUNTY, STATE OF OKLAHOMA

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

II. DEVELOPMENT CONCEPT

Bixby Farms is a single-family residential Planned Unit Development (PUD) of approximately 40 acres located ¼ mile north of the northeast corner of East 151st Street South and South Sheridan Road in the City of Bixby, Oklahoma. Historically farmed, the land is located approximately one (1) mile from downtown Bixby, the center of one of the fastest-growing communities in the State of Oklahoma.

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

To facilitate this PUD, a companion application (BXZO_____) has been filed, which proposes to rezone the site from AG Agricultural District to RS-3 Residential Single-Family Medium Density District. Existing zoning is reflected on Exhibit F and proposed zoning is reflected on Exhibit G of this PUD.

The requested RS-3 zoning and the residential densities as proposed by this PUD are in accordance with the existing "Medium Density Residential" Future Land Use designation of the City of Bixby 2018 Comprehensive Plan Future Land Use map. Exhibit H is an excerpt of the existing Future Land Use map including the site.

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

Although Zoning Code Sections 11-7I-5.A.1. and 11-7B-4.A.1 Table 2 would permit at least 206 dwelling units with the proposed RS-3 underlying zoning, this PUD will restrict the development to 145 dwelling units. The **Exhibit B "Conceptual Site Plan"** only reflects 140 lots. In addition to lowering the density otherwise permitted, this PUD will impose higher development standards (minimum dwelling size and masonry requirements, requirements for minimum open space preservation for neighborhood amenities, per lot landscaping, etc.) than could otherwise be permitted under the existing Zoning Code provisions.

BIXBY FARMS

EXHIBIT A

AERIAL PHOTOGRAPHY & BOUNDARY DEPICTION
WITH ADJACENT DEVELOPMENTS LABELED

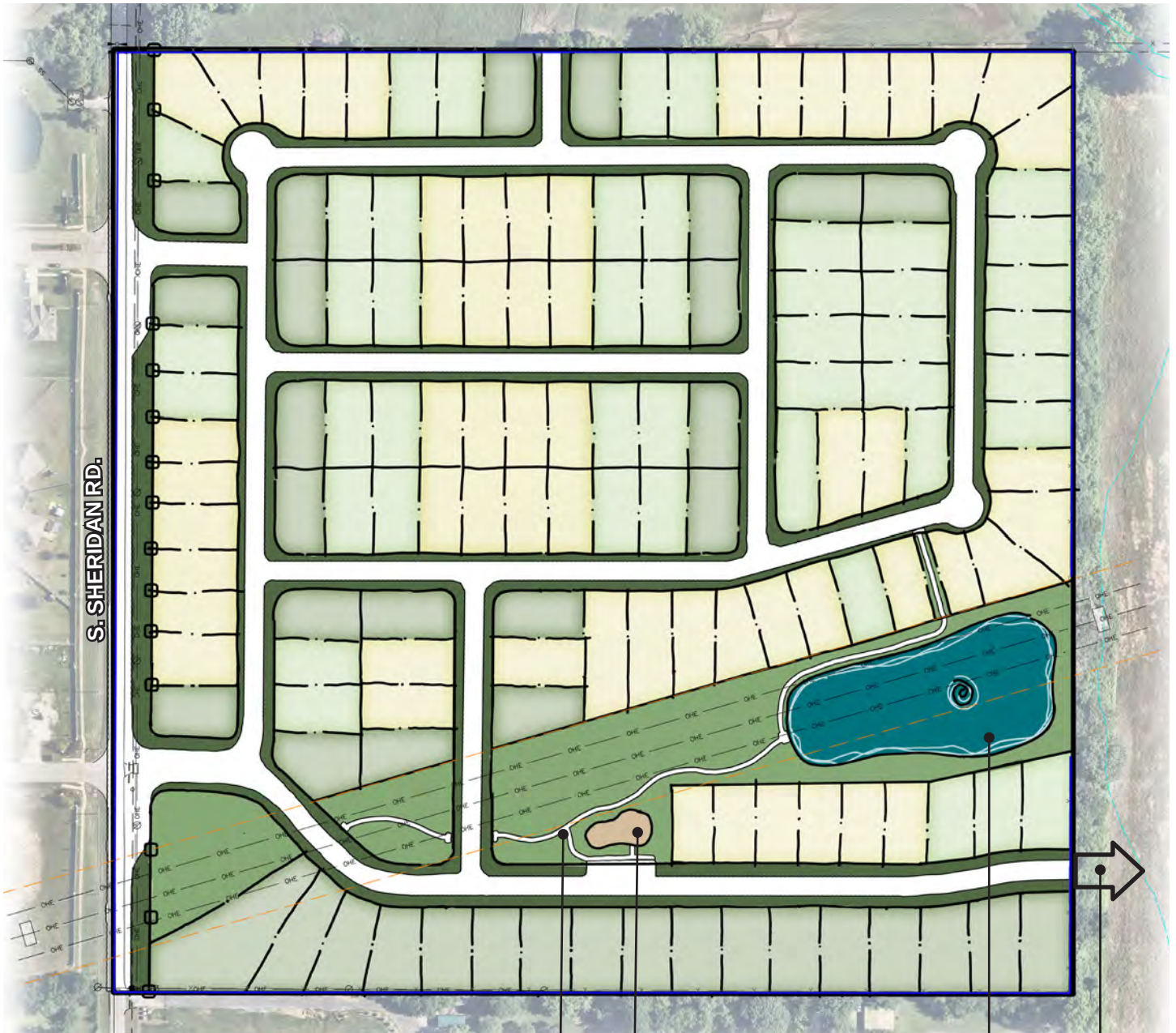


BIXBY FARMS

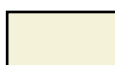
EXHIBIT B

CONCEPTUAL SITE PLAN

CONCEPTUAL LAYOUT SHOWN AS OF JANUARY 13, 2024



LEGEND

	60' WIDE LOTS (57 LOTS TOTAL- 41%)
	65' WIDE LOTS (45 LOTS TOTAL- 32%)
	70' WIDE LOTS (38 LOTS TOTAL- 27%)

PLAYGROUND
WITH PARKING
WALKING TRAIL

DETENTION POND
FUTURE COLLECTOR
STREET CONNECTION



III. DEVELOPMENT STANDARDS

Gross Land Area:	1,737,977 SF	39.898 AC
Net Land Area:	1,737,977 SF	39.898 AC
Permitted Uses: Use Unit 6 single-family detached dwellings and customary accessory uses; Use Unit 5 common area facilities such as neighborhood park, playground, and recreational open space.		
Maximum Number of Lots:	145	
Minimum Lot Width †:	60 FT *	
Minimum Lot Size:	6,900 SF	
Minimum Land Area per Dwelling Unit:	8,400 SF **	
Maximum Building Height:	2 Stories and 35 FT	
Off-street Parking and Yard Coverage:	A minimum of two (2) off-street parking spaces required per dwelling unit. Off-street parking shall not exceed 75% of the required front yard width or area.	
Minimum Livability Space:	4,000 SF ***	
Minimum Yard Setbacks:		
Front Yard:	25 FT	
Rear Yard:	15 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-3 District	
Minimum Dwelling Size:	1,600 SF **** (See Section IV.G.)	
First Floor Exterior Materials:	100% masonry (See Section IV.G.)	
Minimum Landscaping Tree Requirements:	One (1) tree within the front yard of each lot	

* Of total lots, maximum of 41% at 60 FT, minimum of 27% at 70 FT, and balance at 65 FT in width.

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

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

**** Maximum of 20% at 1,600 to 1,799 SF; maximum of 35% at 1,800 SF-1,999 SF; no max 2,000 SF+

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

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

IV.A. SURROUNDING ZONING AND LAND USE: The site is presently zoned AG and is vacant/agricultural. To facilitate this PUD, a companion rezoning application (BXZO_____) is proposed to rezone the site from AG to RS-3 Residential Single-Family High-Density District. Most of the abutting land is zoned AG and is agricultural and, to the south and southwest, rural residential. Single-family residential subdivisions “Southridge at Lantern Hill”, “The Trails at White Hawk”, and “The Ridge at South County” are all zoned RS-3 with PUDs. The City of Bixby’s newly relocated Fire Station One and public safety facility is to the southwest zoned CS with a PUD. The AG-zoned areas are primarily agricultural and vacant to the north and southeast, and rural residential to the west. Existing zoning patterns are represented on **Exhibit F** and proposed zoning patterns are represented on **Exhibit G** of this PUD.

IV.B. ACCESS AND CIRCULATION: As designed, the development will have two (2) points of access to South Sheridan Road. Stub streets are proposed to improve accessibility between the subject property, area streets, and adjoining future developments. Right-of-way will be dedicated for the South Sheridan Road Arterial Street frontage in accordance with the Subdivision Regulations. Deceleration lanes are conceptually shown at both Sheridan Road entrances. An east-west Collector Street is proposed along the south side of the site, aligned with 148th St. S. in Southridge at Lantern Hill to the west of Sheridan Road and allowing for connection to the development tract to the east. The Collector Street is proposed to have a curve to facilitate traffic calming. All other streets within the subdivision will be public local, minor residential streets unless otherwise required during the platting or engineering design and permitting stages. A potential layout of a future collector connection to the property to the east of the development is shown on **Exhibit N**.

By this PUD, required off-street parking attending neighborhood parks or other amenities shall be permitted within the rights-of-way as shown on **Exhibit B**, subject to a license agreement if and as may be required by the City of Bixby. Parking lot setbacks and landscaped strips are thus not applicable. Required landscaping trees as would otherwise be required by the Zoning Code for this area shall be relocated within the adjacent interconnected open space area.

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 five (5) feet in width along South Sheridan Road and four (4) feet in width elsewhere, 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.

Limits of No Access (LNA) will be imposed by the future plat along the South Sheridan Road frontage, except at approved street intersection(s).

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

IV.D. UTILITIES AND DRAINAGE: A twelve-inch (12") waterline is located on the west side of South Sheridan Road serving "Southridge at Lantern Hill". Waterlines will be extended to serve the site. 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.

"Southridge at Lantern Hill" is served by a gravity sanitary sewer system which terminates at a lift station at its northeast corner. It is then sent via force main south along Sheridan Road to a point of gravity flow. An extension of the existing Bixby Creek interceptor is planned by the City of Bixby along the site's northern boundary. Sanitary sewer service will be extended throughout the site and is planned to extend to the west, allowing the lift station to be decommissioned.

Stormwater drainage and detention Reserve Areas are conceptually planned throughout the site, as reflected on **Exhibit C** of this PUD. These facilities will drain to the Bixby Creek tributary east of the site. Drainage and storm sewer are in design and are subject to the approval of Bixby City Staff.

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

IV.E. ENVIRONMENTAL ANALYSIS AND TOPOGRAPHY: The subject property is moderately sloped and drains from west to east toward Bixby Creek.

As represented on **Exhibit E** "FEMA Floodplain Map," the eastern approximately 1/3 of the site is within Shaded Zone X 500-year (0.2% Annual Chance) Floodplain, with the balance being in Unshaded Zone X (outside of the 500-year Floodplain).

The Soil Survey of Tulsa County, Oklahoma was used to help identify soils types and possible constraints to development. The site contains Choska Very Fine Sandy Loam, 0-1% slopes (52.6% of site), Dennis Silt Loam, 3-5% slopes (40.2% of site), and small percentages of Eram-Coweta Complex, 5-15% slopes, Dennis-Radley Complex, 0-12% slopes, and Wynona Silty Clay, 0-1% slopes. Development constraints associated with these soil types, and any other environmental constraint(s), will be addressed in the engineering design phase of the project. Similar soils have been encountered in the immediate area. A new geotechnical report will be performed to recommend paving sections and subgrade design. Soil types and topography are shown on **Exhibit D** of this PUD.

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

When fully platted, not less than 10% of Bixby Farms shall be preserved as open space for the enjoyment of the residents and shall include a neighborhood park with off-street parking, swing sets and/or similar play structures, walking trails and other open space amenities for passive and active recreation.

IV.G. 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/cast stone and

stucco/EIFS as an approved alternative. The exterior surface of any foundation, including stem walls, shall also be of masonry. As planned, Bixby Farms will feature multiple home designs with varied architectural styles and features. Residential designs shall meet the above standards and substantially conform to the design aesthetics depicted in **Exhibit I**.

Each lot shall have installed and thereafter maintain at least one (1) landscaping tree.

Frontage of development along Sheridan to include 6' Masonry Fence/ Wall. Masonry to be limited to natural stone, manufactured stone, precast masonry blocks, precast concrete panels, or stucco/EIFS.

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.

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

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

BIXBY FARMS

EXHIBIT C

EXISTING PUMP
STATION TO BE
DECOMMISSIONED
BY CITY

EXISTING AND PROPOSED UTILITIES
CONCEPTUAL LAYOUT SHOWN AS OF DECEMBER 3, 2024
EXISTING UTILITIES PER CITY OF BIXBY ATLAS DATA

FUTURE 15" INTERCEPTOR LINE BY CITY



LEGEND

- EXISTING WATER LINE
- EXISTING SANITARY SEWER
- PROPOSED WATER SERVICE SYSTEM
- PROPOSED SANITARY SEWER SYSTEM

CONNECT TO
PROPOSED SEWER
(TO BE INSTALLED
BY CITY)

EXISTING OVERHEAD ELECTRIC



BIXBY FARMS

EXHIBIT D

EXISTING TOPOGRAPHY AND SOILS

SOIL DATA FROM USDA WEB SOIL SURVEY, ACCESSED OCTOBER 31, 2024



Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
7	Choska very fine sandy loam, 0 to 1 percent slopes, rarely flooded	A-4	21.0	52.6%
13	Dennis silt loam, 3 to 5 percent slopes	A-6	16.0	40.2%
16	Dennis-Radley complex, 0 to 12 percent slopes	A-6	0.4	0.9%
20	Eram-Coweta complex, 5 to 15 percent slopes	A-7-6	2.3	5.9%
53	Wynona silty clay loam, 0 to 1 percent slopes, occasionally flooded	A-7-6	0.1	0.4%
Totals for Area of Interest			39.9	100.0%

BIXBY FARMS

EXHIBIT E

FEMA FLOODPLAIN MAP

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



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EXHIBIT F

EXISTING ZONING MAP

DATA FROM INCOG ZONING MAP ACCESSED OCTOBER 31, 2024 AND MODIFIED



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EXHIBIT G

PROPOSED ZONING MAP

DATA FROM INCOG ZONING MAP ACCESSED OCTOBER 31, 2024 AND MODIFIED



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EXHIBIT H

COMPREHENSIVE PLAN MAP

DATA FROM 2018 COMPREHENSIVE PLAN FUTURE LAND USE MAP



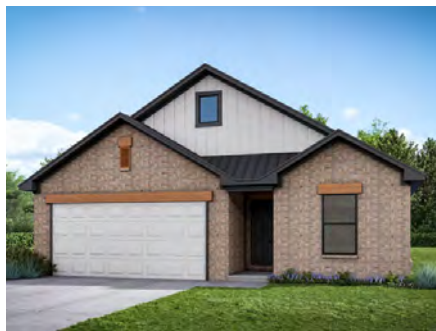
BIXBY FARMS

EXHIBIT I

ARCHITECTURAL DESIGN ILLUSTRATIVE CONCEPTS

Representative Architectural Styles

capitalhomes.com/plans



PLAYGROUND PLAN CONCEPT



BIXBY FARMS

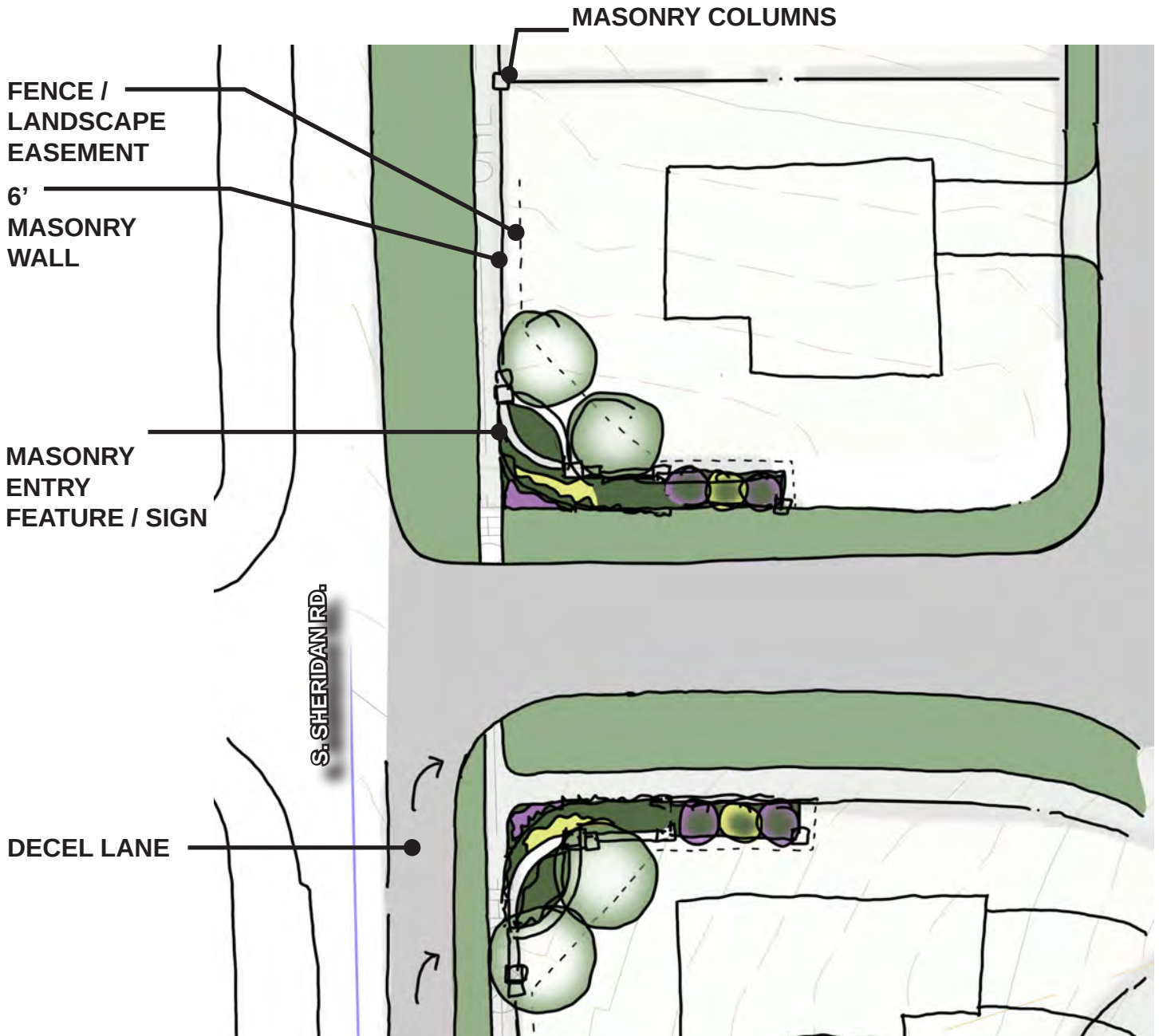
EXHIBIT K

PLAYGROUND REPRESENTATIVE IMAGE



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EXHIBIT L ENTRY PLAN CONCEPT



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EXHIBIT M

ENTRY REPRESENTATIVE IMAGE



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EXHIBIT N

CONCEPTUAL COLLECTOR ROAD LAYOUT

