City of Bixby Planning Commission Meeting Agenda

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

Monday, March 24, 2025	**5:00 PM**	**Bixby Municipal Building 111 N. Cabaniss Avenue, Bixby, OK 74008**

Call to Order

Chairman

Roll Call

Secretary

Consent Agenda

1) Consider and Approve the Planning Commission Meeting Minutes from January 21, 2025.

Public Hearing

1) Discussion, consideration, and possible vote for approval of a Partial Preliminary & Final Replat for Crossing at Conrad Village, Block 1, Lots 1-5.

Old Business

New Business

Notice of Posting

This Notice and Agenda was posted on the bulletin board this day of March 20, 2025, on or before 6:00 p.m., at City Hall, 111 N. Cabaniss Avenue, Bixby, Oklahoma.

Respectfully Submitted

Gladys Gill
Planner

1

For Special Accommodations

Individuals requiring special accommodations to participate in this meeting must contact Shannon Duran, City Clerk, at 111 N. Cabaniss 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
January 21, 2025 at 6:00 PM

Call to Order

Chairman Jason Mohler opened the Planning Commission meeting at 6:06 PM.

Roll Call

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

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

Staff Present
Phil Frazier, City Attorney
Gladys Gill, Secretary/Assistant Planner

Consent Agenda

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

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

Motion carried: 4-0

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

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.

Chairman Jason Mohler introduced Items 1 and 2 on the agenda for discussion and consideration.

Gladys Gill provided the Commission with an overview of the Final Plat for The Preserve, including

Blocks 1-4 and Block 5. Erik Enyart of Tanner Consulting, LLC, addressed the Commission to offer additional background on the project.

Commissioner Holland inquired about signage and requested that it be monument-style. Mr. Enyart assured the Commission that, while not required by the PUD or Zoning Code, the plan includes masonry entry signage.

There were no public comments on Item 1 or Item 2.

Vice Chair Nave asked staff to confirm that the Final Plat aligns with the Preliminary Plat and PUD. Staff confirmed that both plats do align with Preliminary Plat and PUD.

Chairman Mohler asked for a motion on item 1. Vice Chair Nave moved to approve the Final Plat for The Preserve Block 1-4 with staff comments. Commissioner Holland seconded the motion. The vote was recorded as follows:

Motion carried: 4-0
Ayes: Nave, Whisman, Holland, Mohler
Nays: 0

Chairman Mohler asked for a motion on item 2. Vice Chair Nave moved to approve the Final Plat for The Preserve Block 5 with staff comments. Commissioner Holland seconded the motion. The vote was recorded as follows:

Motion carried: 4-0
Ayes: Nave, Whisman, Holland, Mohler
Nays: 0

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.

Chairman Jason Mohler introduced Items 3, 4, and 5 on the agenda for discussion and consideration.

Gladys Gill provided the Commission with an overview of the proposed Legends Reserve project, including the associated Planned Unit Development (PUD).

Ryan McCarty with Select Design then addressed the Commission, offering additional details and explaining the rationale for requesting a Comprehensive Plan Amendment. He stated that changing the designation for the northwest corner of 111th and Mingo from Mixed Use to Residential and Commercial would better align with the surrounding area.

Commissioner Nave asked for clarification on the Mixed Use designation and noted that, in his opinion, the project still qualifies as Mixed Use since it includes both Residential and Commercial

uses.

Chairman Mohler opened the floor for public comments and gave the public some guidelines when speaking. Several residents addressed the Commission with their concerns and comments regarding the proposed development:

- Scott Sinclair, speaking on behalf of his father, Jim Sinclair, voiced concerns about drainage and water mitigation.
- Karl Snow presented photos for the Commission to review, showing drainage conditions at 111th and Mingo and images of The Fountains project at 121st and Mingo.
- Kurt Preston expressed his desire for adequate water retention to prevent flooding and raised concerns about the soil conditions in the area.
- Ray Neal inquired about the square footage of the residential units and asked what types of businesses would be included in the commercial development at the hard corner.
- Lucus Keppel, Pastor at Trinity Presbyterian Church, spoke in favor of the proposed development, expressing support on behalf of himself and the church.
- Timothy Maynard asked about the buffer between his property and the residential development.

Chairman Mohler closed the floor to public comment and invited the applicant to respond to the concerns raised.

Ryan McCarty addressed the audience, confirming that the minimum lot width for the residential area is 60 feet, with a maximum building height of two stories. He also stated that an 8-foot masonry wall would be constructed between the commercial and residential area.

Regarding the commercial area, Mr. McCarty clarified that marijuana and sexually oriented businesses would be prohibited. He also addressed drainage concerns, explaining that the Legends pond was initially designed to accommodate runoff from the intended commercial development. A discussion followed between Mr. McCarty and the Commission.

Chairman Mohler thanked the public for voicing their concerns about drainage but reminded them that the Planning Commission primarily focuses on zoning and land use. He noted that drainage design and water retention would be addressed during the engineering phase.

Chairman Mohler asked for a motion on item 3. Chairman Mohler made a motion to approve the Comprehensive Plan Amendment. Vice Chair Nave seconded the motion. The vote was recorded as follows:

Motion carried: 4-0
Ayes: Mohler, Nave, Whisman, Holland
Nays: 0

Chairman Mohler asked for a motion on item 4. Commissioner Holland made a motion to approve the rezoning. Commissioner Whisman seconded the motion. The vote was recorded as follows:
Motion carried: 4-0

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

Chairman Mohler asked for a motion on item 5. Vice Chair Nave made a motion to approve the PUD with staff comments. Chairman Mohler seconded the motion. The vote was recorded as follows:

Motion carried: 4-0
Ayes: Holland, Whisman, Nave, Mohler
Nays: 0

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.

Chairman Jason Mohler introduced Items 6 and 7 on the agenda for discussion and consideration.

Gladys Gill provided the Commission with an overview of the proposed Bixby Farms project, including the associated Planned Unit Development (PUD).

Nathan Cross with DSDA then addressed the Commission, offering additional details on the proposed project.

Chairman Mohler opened the floor for public comments. Several residents addressed the Commission to express their concerns about the proposed development:

- Adam Roberts raised concerns about the area's infrastructure and asked whether the developer would include a buffer between his property and the development.
- Diana Copenhaver expressed concerns about the proposed home sizes, flooding issues, and the condition of South Sheridan Road.
- Jessica Eslam voiced concerns about school overcrowding in Bixby, as well as the road conditions on South Sheridan Road and 141st Street, drainage, and water pressure issues in the area.
- Gary Halstead presented a handout for the Commission's review and shared concerns about home sizes and road conditions. He also emphasized the need for a second bridge to alleviate traffic congestion.
- David Furtado highlighted the need for improvements to road conditions and infrastructure.
- Kary Erickson also spoke about the need for a second bridge and road improvements, specifically noting safety concerns for her teen drivers.
- Tracey Roberts expressed concerns about the development and losing the open land behind her property.
- Michael Childers voiced concerns about the home sizes.
- Mohamed Eslam spoke to the Commission as a physician to address infrastructure.

Phil Frazier thanked the public for their participation but also reminded the public that the Planning Commission's primary focus is zoning and land use. Discussion ensued.

Chairman Mohler closed the floor to public comment and invited the applicant to address the concerns raised. Mr. Nathan Cross responded to residents' concerns.

Commissioner Holland inquired about water pressure in the area, noting that he was previously unaware of any issues. A discussion followed.

Vice Chair Nave asked Mr. Cross about the feedback received from the council during the Work Session, specifically whether they discussed the size of the homes. Mr. Cross confirmed that the council provided feedback and stated that 29 lots would have a minimum home size of 1,600 square feet.

Commissioner Holland then asked if the applicant would consider reducing the percentage of homes with a minimum size of 1,600 square feet. Mr. Cross declined. This led to further discussion among the Commissioners regarding home sizes. Vice Chair Nave asked for Phil Frazier's direction on whether to consider the public's concern when voting on items. Mr. Frazier reiterated that the Planning Commission's primary focus is zoning and land use, and they are only a recommending body.

Chairman Mohler asked for a motion on item 6. Vice Chair Nave made a motion to approve the rezoning with staff comments. Commissioner Holland seconded the motion. The vote was recorded as follows:

Motion carried: 4-0
Ayes: Nave, Holland, Whisman, Mohler
Nays: 0

Chairman Mohler asked for a motion on item 7. Chairman Mohler made a motion to approve the PUD with staff comments. Commissioner Whisman seconded the motion. The vote was recorded as follows:

Motion carried: 4-0
Ayes: Mohler, Whisman, Holland, Nave
Nays: 0

Old Business

No old business to discuss.

New Business

Commissioner Holland asked if staff could ask FEMA if the 500-year floodplain would require additional elevation requirements for construction.

No additional new business to discuss.

Adjournment

An adjournment was called at 8:17 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: March 24, 2025

Name: Crossing at Conrad Village

Cases: Preliminary & Final Partial Replat BXPT-20.05 Blocks 1, Lots 1-4

Location: 7500 block of East 156th Place South

STR: Section 23, Township 17N, Range 13E

Applicant: Tanner Consulting, LLC.

Request:

Tanner Consulting is requesting approval of the Preliminary and Final Partial Replat for Block 1 of Crossing at Conrad Village, a residential development zoned RS-3 with supplemental zoning BXPUD-16.04. This partial replat aims to reconfigure Lots 1 through 5 in Block 1 by relocating an oil well head into a designated reserve area and enlarging Lot 1, Block 1. Additionally, they have incorporated 5' utility easements (U/Es) on both sides of the property line between Lots 1 and 2, as requested by AEP-PSO, to accommodate a streetlight at the north end of the U/E corridor.

Site Stats:

Acres: 0.894 +/-	Number of Blocks: 1	Minimum Lot Size: 6,060 sf
Number of Lots: 4	Reserve Areas: 1	Minimum Lot Width: 60 ft

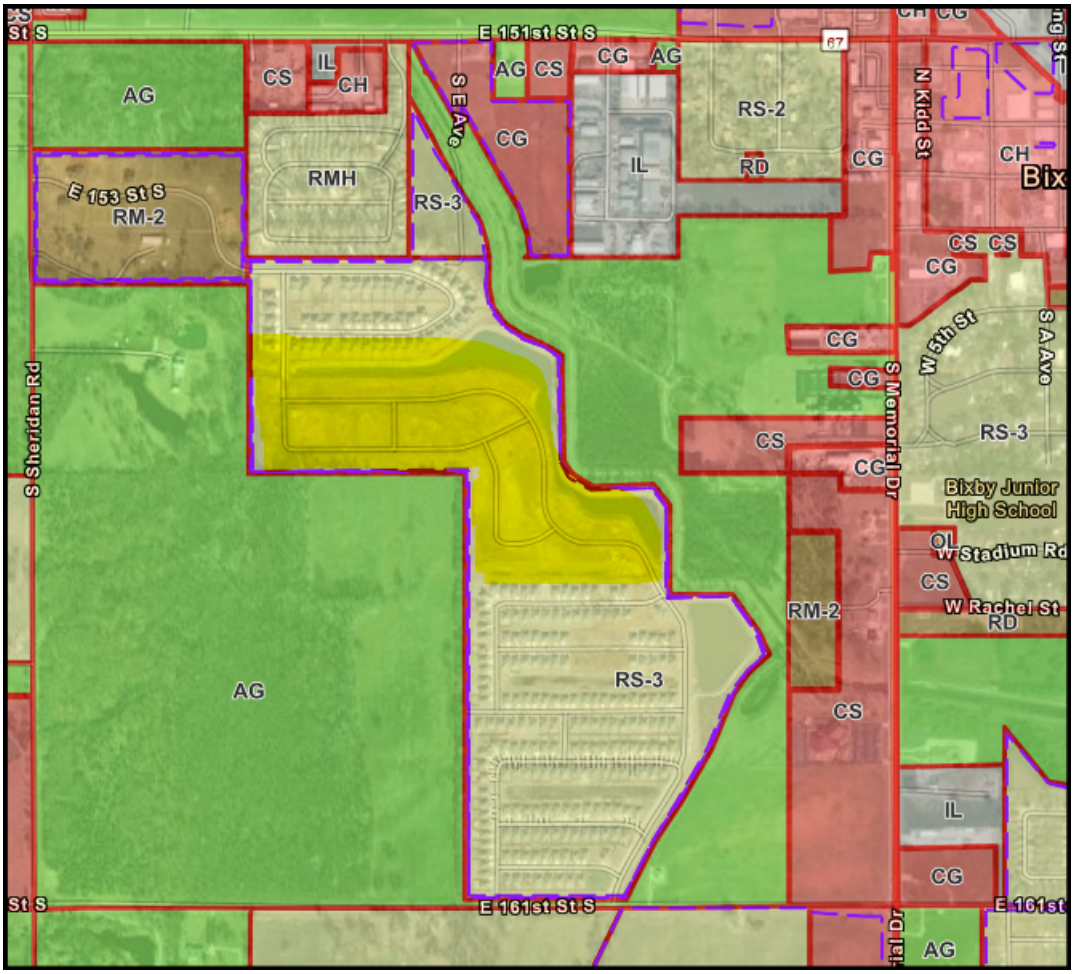
Existing Zoning; Use:

Residential Single-Family (RS-3), BXPUD-16.04

Abutting Zoning; Use:

North: (AG) Agriculture / RMH (Residential Mobile Home – Shadow Valley)
East: (AG) Agriculture, Undeveloped – Drainage Ditch
South: (AG) Agriculture, Platted Single-family lots
West: (AG) Agriculture, Platted Single-family lots

Figure 1: City of Bixby Zoning Map



Utilities/Site Area:

Water:	There is a 12" water main running North/South on the East side of S. Sheridan Road.
Sewer:	There is an 8" Sanitary Sewer main running East/West on the South side of Shadow Valley subdivision.

Engineering Review Comments: The partial plat was reviewed by TAC on February 5, 2025. No comments were received from TAC or the City Engineer.

Public Comments:

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

Staff Comments

The Final Plat for Crossing at Conrad Village was approved by the Council on February 13, 2023. Staff has reviewed the conditional preliminary and final partial plat and confirms that it complies with the previously approved PUD for Crossing at Conrad Village, as adopted by the Planning Commission and City Council.

Figures:	Figure 1:	City of Bixby Zoning Map
Attachments:	Exhibit A:	Conditional Final Plat with Deed of Dedication for partial block 1.

Preliminary/Conditional Final Plat

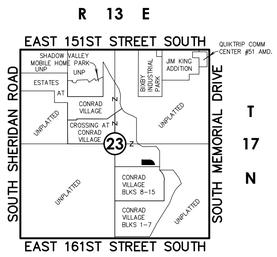
BXPUD-16.04
Development Area C

Crossing at Conrad Village Partial Replat

A REPLAT OF ALL OF
LOTS ONE (1) THROUGH FIVE (5), INCLUSIVE, BLOCK ONE (1), "CROSSING AT CONRAD VILLAGE", A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 7079)

OWNER:
Conrad Farms Bixby, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY
BRIAN J. GREEN - MEMBER
BJGREEN347@MSN.COM
PO Box 3052
Claremore, Oklahoma 74018
Phone: (918) 613-0766

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



Location Map
Scale: 1"= 2000'
NORTH

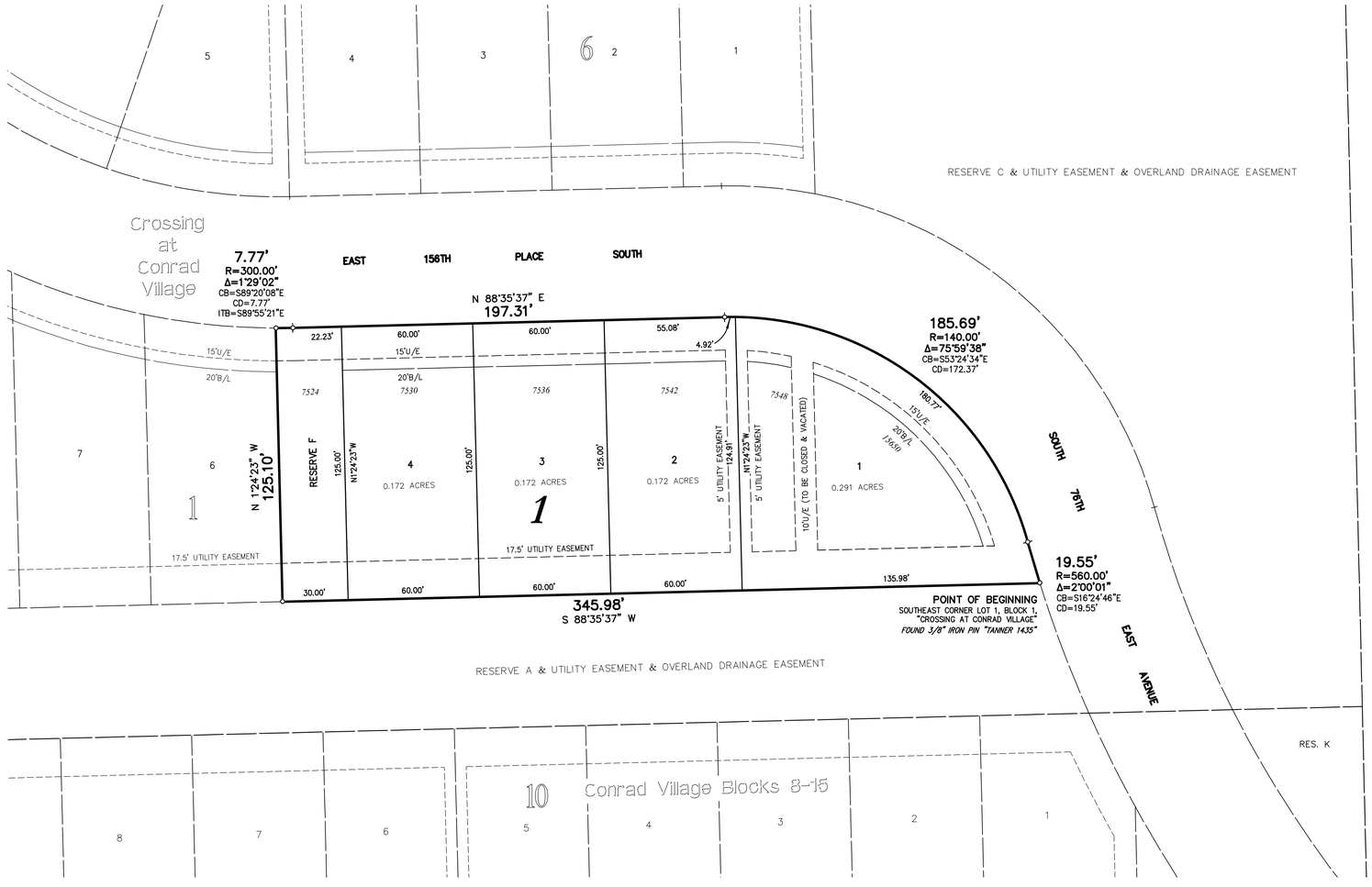
SUBDIVISION CONTAINS:

FOUR (4) LOTS
IN ONE (1) BLOCK
WITH ONE (1) RESERVE AREA

GROSS SUBDIVISION AREA: 0.894 ACRES

Notes:

1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. ALL PROPERTY CORNERS ARE FOUND OR SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE RECORDED PLAT OF "CROSSING AT CONRAD VILLAGE", TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 7079).
4. ADDRESSES SHOWN ON THIS PLAT WERE PROVIDED BY THE CITY OF BIXBY AND 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.
5. ACCESS AT THE TIME OF PLAT WAS PROVIDED BY EAST 156TH PLACE SOUTH AND SOUTH 76TH EAST AVENUE, BOTH BEING PUBLIC STREETS.
6. ALL DWELLINGS REQUIRE BACKFLOW PREVENTION EXCEPT AS OTHERWISE PERMITTED BY THE CITY OF BIXBY.



NORTH
0 15 30 45
Scale: 1"= 30'
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
ITB	INITIAL TANGENT BEARING
LNA	LIMITS OF NO ACCESS
ODE	OVERLAND DRAINAGE EASEMENT
RES.	RESERVE
R/W	RIGHT-OF-WAY
U/E	UTILITY EASEMENT
1234	ADDRESS ASSIGNED
o	FOUND MONUMENT
●	SET MONUMENT (SEE NOTE 2)

FINAL PLAT
CERTIFICATE OF APPROVAL

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

on _____

_____
MAYOR–VICE MAYOR

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

_____
CITY MANAGER–CITY CLERK

DATE OF PREPARATION: January 7, 2025

Preliminary/Conditional Final Plat

BXPUD-16.04
Development Area C

Crossing at Conrad Village Partial Replat

A REPLAT OF ALL OF
LOTS ONE (1) THROUGH FIVE (5), INCLUSIVE, BLOCK ONE (1), "CROSSING AT CONRAD VILLAGE", A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 7079)

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

THAT CONRAD FARMS BIXBY, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING REAL PROPERTY SITUATED IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

ALL OF LOTS ONE (1) THROUGH FIVE (5), INCLUSIVE, BLOCK ONE (1), "CROSSING AT CONRAD VILLAGE", A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 7079).

AND THE OWNER HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, REPLATTED, DEDICATED, AND SUBDIVIDED INTO FOUR (4) LOTS WITHIN BLOCK ONE (1) AND ONE (1) RESERVE AREA IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT"), AND HAS DESIGNATED THE SUBDIVISION AS "CROSSING AT CONRAD VILLAGE PARTIAL REPLAT", A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA (HEREINAFTER THE "SUBDIVISION" OR "CROSSING AT CONRAD VILLAGE PARTIAL REPLAT"). THE LOTS DEPICTED UPON THE PLAT SHALL HEREINAFTER BE REFERRED TO COLLECTIVELY AS THE "LOTS" AND INDIVIDUALLY AS A "LOT".

SECTION I. EASEMENTS AND UTILITIES

A. UTILITY EASEMENTS.

THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING PUBLIC STORM SEWERS, PUBLIC SANITARY SEWERS, COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, AND PUBLIC WATERLINES, TOGETHER WITH ALL VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, TOGETHER WITH SIMILAR EASEMENT RIGHTS IN THE PUBLIC STREETS, PROVIDED HOWEVER, THAT THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN PUBLIC WATERLINES AND PUBLIC SEWER LINES WITHIN THE UTILITY EASEMENTS FOR THE PURPOSE OF FURNISHING PUBLIC WATER AND/OR PUBLIC SEWER SERVICE TO AREAS WITHIN OR OUTSIDE THE PLAT AND THE OWNER FURTHER RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WITHIN THE UTILITY EASEMENTS PROPERLY-PERMITTED PARKING AREAS, LANDSCAPING, SCREENING FENCES AND WALLS, AND OTHER NON-OBSTRUCTING IMPROVEMENTS.

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE.

1. EACH LOT AND RESERVE AREA OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, PUBLIC SANITARY SEWER MAINS, AND PUBLIC STORM SEWER FACILITIES LOCATED ON THE LOT OR RESERVE AREA.

2. WITHIN THE DEPICTED UTILITY EASEMENT AREAS, THE ALTERATION OF GRADE IN EXCESS OF THREE (3) FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, PUBLIC SANITARY SEWER MAIN, OR PUBLIC STORM SEWER FACILITY, OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH ANY PUBLIC WATER MAIN, PUBLIC SANITARY SEWER MAIN, OR PUBLIC STORM SEWER FACILITY, SHALL BE PROHIBITED. WITHIN THE UTILITY EASEMENTS, IF THE GROUND ELEVATIONS ARE SO 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 MAIN, OR PUBLIC STORM SEWER FACILITY, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS AND MANHOLES SHALL BE ADJUSTED TO THE ALTERED GROUND ELEVATIONS BY THE OWNER OF THE LOT OR RESERVE AREA OR, AT ITS ELECTION, THE CITY OF BIXBY, OKLAHOMA, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.

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

4. THE CITY OF BIXBY OR ITS SUCCESSORS SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS DEPICTED ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND PUBLIC WATER, PUBLIC SANITARY SEWER, OR PUBLIC STORM SEWER FACILITIES.

5. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE CITY OF BIXBY OR ITS SUCCESSORS AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

C. UNDERGROUND SERVICE.

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

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

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

4. THE LOT OR RESERVE AREA OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON SAID 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. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF SAID OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C. SHALL BE ENFORCEABLE BY EACH SUPPLIER OF ELECTRIC, COMMUNICATION, OR GAS SERVICES AND EACH LOT OR RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

D. PAVING AND LANDSCAPING WITHIN EASEMENTS.

THE OWNER OF THE LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR REPAIR OF DAMAGE TO LANDSCAPING AND PAVING RESULTING FROM THE ACTIONS OF THE CITY OF BIXBY, OR THE SUPPLIER OF UTILITY SERVICES, IN PERFORMING NECESSARY INSTALLATION OF OR MAINTENANCE TO THE UNDERGROUND WATER, SEWER, STORM WATER, GAS, COMMUNICATION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT; PROVIDED, HOWEVER, THAT THE CITY OF BIXBY, OR THE SUPPLIER OF THE UTILITY SERVICE, SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

E. RESERVE AREA F

1. RESERVE F, AS DEPICTED UPON THE ACCOMPANYING PLAT, IS ESTABLISHED FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION, AND IS HEREBY RESERVED FOR SUBSEQUENT CONVEYANCE TO THE PROPERTY OWNERS' ASSOCIATION AS SET FORTH IN SECTION III. HEREIN.

2. RESERVES F IS RESERVED FOR OPEN SPACE, PRIVATE RECREATIONAL FACILITIES, UTILITIES, AND OTHER USES AS MAY BE DETERMINED BY THE OWNER AND PERMITTED BY THE CITY OF BIXBY.

3. ALL COSTS AND EXPENSES ASSOCIATED WITH RESERVE F, INCLUDING MAINTENANCE OF VARIOUS RECREATIONAL FACILITIES, SHALL BE THE RESPONSIBILITY OF THE OWNER THEREOF, WHICH SHALL BE THE PROPERTY OWNERS' ASSOCIATION, AS PROVIDED IN SECTION III. HEREIN, UPON CONVEYANCE OF SUCH RESERVE AREA TO THE ASSOCIATION BY THE OWNER. THE CITY OF BIXBY SHALL NOT BE LIABLE FOR ANY DAMAGE OR REMOVAL OF ANY LANDSCAPING OR IRRIGATION SYSTEMS IN ANY RESERVE AREA.

4. IN THE EVENT THE OWNER OF RESERVE F SHOULD FAIL TO PROPERLY MAINTAIN SUCH RESERVE AREA, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER SUCH RESERVE AREA AND PERFORM MAINTENANCE NECESSARY, AND THE COSTS SHALL BE PAID BY THE OWNER THEREOF. IN THE EVENT THE RESERVE AREA OWNER SHOULD FAIL TO PAY THE COST OF SAID MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, AND SUBSEQUENT FAILURE TO TIMELY PAY SUCH STATEMENT, THE CITY OF BIXBY, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER SUCH COSTS OF MAINTENANCE SHALL BECOME A LIEN ON ALL OF THE RESIDENTIAL LOTS WITHIN THE GEOGRAPHIC JURISDICTION OF THE PROPERTY OWNERS' ASSOCIATION AS SET FORTH WITHIN SECTION III. HEREIN, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA; OR THE CITY OF BIXBY MAY ADD SUCH BILLING PRORATED UPON THE RESIDENTIAL LOT OWNERS' WATER BILLS, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF BIXBY.

SECTION II. PLANNED UNIT DEVELOPMENT

WHEREAS, THE PROPERTY COMPRISING CROSSING AT CONRAD VILLAGE PARTIAL REPLAT WAS SUBMITTED AS A PART OF PLANNED UNIT DEVELOPMENT (PUD) NO. BXPUD-16.04 ("CONRAD FARMS") AS PROVIDED WITHIN TITLE 11 OF THE BIXBY, OKLAHOMA CITY CODE (BIXBY ZONING CODE), AND

WHEREAS, PUD NO. BXPUD-16.04 WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF BIXBY PLANNING COMMISSION ON SEPTEMBER 19, 2016, AND APPROVED BY THE BIXBY CITY COUNCIL ON OCTOBER 10, 2016 (ORDINANCE NO. 2198), AND

WHEREAS, MINOR AMENDMENT # 1 TO BXPUD-16.04 WAS APPROVED BY THE CITY OF BIXBY PLANNING COMMISSION ON JUNE 17, 2019, 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 ASSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND ANY AMENDMENTS THERETO, AND

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

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

A. GENERAL

1. DEVELOPMENT IN ACCORDANCE WITH PUD

CROSSING AT CONRAD VILLAGE PARTIAL REPLAT SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. BXPUD-16.04, AS APPROVED BY THE CITY OF BIXBY, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. BXPUD-16.04 AS MAY BE SUBSEQUENTLY APPROVED.

2. APPLICABLE ORDINANCE

THE DEVELOPMENT OF CROSSING AT CONRAD VILLAGE PARTIAL REPLAT SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE, AS SUCH PROVISIONS EXISTED ON OCTOBER 10, 2016.

B. DEVELOPMENT STANDARDS (PART OF DEVELOPMENT AREA C)

PERMITTED USES:

USE UNIT 6 DETACHED RESIDENTIAL DWELLING UNITS, INCLUDING SINGLE FAMILY, PATIO HOME, AND CUSTOMARY ACCESSORY USES, INCLUDING USE UNIT 5 COMMON AREA FACILITIES SUCH AS CLUBHOUSE, SWIMMING POOL, PLAYGROUND, AND RECREATIONAL OPEN SPACE.

MAXIMUM NUMBER OF LOTS:	400 [4 IN THIS PLAT; CUMULA- TIVE TOTAL INCLUDING THIS PLAT: 239] *
MINIMUM LOT WIDTH:	60 FT **
MINIMUM LOT SIZE:	6,900 SF
MAXIMUM BUILDING HEIGHT:	2 STORIES AND 35 FT ***
OFF-STREET PARKING AND FRONT YARD COVERAGE:	MINIMUM TWO (2) ENCLOSED OFF-STREET PARKING SPACES REQUIRED PER DWELLING UNIT. OFF-STREET PARKING SHALL NOT EXCEED 75% OF THE REQUIRED FRONT YARD.
MINIMUM LIVABILITY SPACE:	2,000 SF ****
MINIMUM YARD SETBACKS:	
FRONT YARD:	20 FT
REAR YARD:	20 FT
SIDE YARD ABUTTING A STREET:	15 FT
SIDE YARD NOT ABUTTING A STREET:	5 FT
MINIMUM DWELLING SIZE:	1,600 SF
MINIMUM MASONRY FIRST FLOOR:	80%
OTHER BULK AND AREA REQUIREMENTS:	AS REQUIRED WITHIN THE RS-3 DISTRICT

* THE MAXIMUM NUMBER OF DWELLING UNITS SHALL NOT EXCEED 250 UNTIL ALL CONTIGUOUS DEVELOPMENT WITHIN SUCH DEVELOPMENT AREA IS SERVED BY NOT LESS THAN THREE (3) POINTS OF ACCESS.

** ALL LOTS ABUTTING ARTERIAL STREETS SHALL HAVE A LOT WIDTH OF 65'.

*** 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.

C. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

1. SIGNS

RESIDENTIAL SUBDIVISION ENTRANCE SIGNAGE SHALL BE PERMITTED ALONG ARTERIAL AND COLLECTOR STREET FRONTAGES AND SHALL COMPLY WITH STANDARDS FOR SAME AS PROVIDED IN THE BIXBY ZONING CODE. SIGNAGE SERVING RESIDENTIAL NEIGHBORHOOD AMENITIES, APPROPRIATE FOR PURPOSE AND NEIGHBORHOOD SCALE, SHALL BE PERMITTED WITHIN RESERVE AREAS CONTAINING NEIGHBORHOOD AMENITIES. ALL OTHER SIGNAGE SHALL COMPLY WITH THE BIXBY ZONING CODE.

2. STANDARDS PERTAINING TO DWELLINGS

ALL SINGLE FAMILY DWELLING UNITS SHALL HAVE A MINIMUM FINISHED HEATED LIVING AREA OF 1,600 SQUARE FEET AND FIRST-FLOOR MASONRY CONTENT NOT LESS THAN 80%. MASONRY PERCENTAGES SHALL EXCLUDE WINDOWS AND BENEATH COVERED PORCHES. THE MASONRY REQUIREMENT SHALL MEAN BRICK, NATURAL OR MANUFACTURED STONE, OR STUCCO. THE EXTERIOR SURFACE OF ANY FOUNDATION, INCLUDING STEM WALLS, SHALL ALSO BE OF MASONRY.

3. ACCESS AND CIRCULATION

AS INDICATED ON THE TULSA METROPOLITAN AREA MAJOR STREET AND HIGHWAY PLAN, CONRAD FARMS PROPOSES A MID-MILE COLLECTOR STREET SYSTEM CONNECTING 161ST ST. S. TO 151ST ST. S. (STATE HIGHWAY 67) AND SHERIDAN RD. THE 151ST ST. S. AND SHERIDAN RD. COLLECTOR STREET SEGMENTS SHOULD BE EXTENDED AS THEIR RESPECTIVE INTERCEPTED TRACTS ARE DEVELOPED. A MINOR RESIDENTIAL STREET IS PROPOSED TO CONNECT THE COLLECTOR STREET SYSTEM TO SHERIDAN RD. APPROXIMATELY AT THE 153RD STREET SOUTH ALIGNMENT. WHILE FURTHER STREET PATTERNS WILL BE DESIGNED DURING THE PLATTING STAGE, CONCEPTUAL STREET ALIGNMENTS ARE INDICATED ON THE BXPUD-16.04 EXHIBIT B CONCEPTUAL SITE PLAN. WITHIN RESIDENTIAL DEVELOPMENT AREAS C AND D, THE MAXIMUM NUMBER OF DWELLING UNITS SHALL NOT EXCEED 250 UNTIL ALL CONTIGUOUS DEVELOPMENT WITHIN SUCH DEVELOPMENT AREA IS SERVED BY NOT LESS THAN THREE (3) POINTS OF ACCESS. STUB-OUT STREETS WILL BE REQUIRED BY THE BIXBY SUBDIVISION REGULATIONS TO ALL ABUTTING UNPLATTED TRACTS, UNLESS WAIVED BY THE BIXBY CITY COUNCIL.

STREETS SERVING CROSSING AT CONRAD VILLAGE PARTIAL REPLAT ["CONRAD FARMS"], WHETHER PUBLIC OR PRIVATE, SHALL BE CONSTRUCTED TO MEET THE STANDARDS OF THE CITY OF BIXBY FOR PUBLIC STREETS, INCLUDING 60' MINIMUM RIGHTS-OF-WAY AND 36' MINIMUM PAVING BETWEEN CURB FACES FOR COLLECTOR STREETS AND 50' MINIMUM RIGHTS-OF-WAY AND 26' MINIMUM PAVING BETWEEN CURB FACES FOR MINOR STREETS; PROVIDED, HOWEVER, THE CITY OF BIXBY MAY APPROVE ALTERNATIVE STREET DESIGN STANDARDS WHERE BORROW DITCHES OR PRIVATE STREETS ARE PERMITTED THROUGH PLATTING. 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.

DURING THE PLATTING STAGE, PEDESTRIAN ACCESS FROM ANY SUBDIVISION SHALL BE PROVIDED TO THE ADJOINING BIXBY CREEK RIGHT-OF-WAY, WHICH IS IDENTIFIED AS A TRAIL CORRIDOR ON BOTH THE BIXBY COMPREHENSIVE PLAN AND THE "GO PLAN," THE TULSA REGIONAL BICYCLE AND PEDESTRIAN MASTER PLAN. THE FORMER INDICATES A TRAIL ON THE WESTERLY SIDE OF BIXBY CREEK, AND THE LATTER ON THE EASTERLY SIDE. BOTH SIDES MAY ULTIMATELY CONTAIN TRAILS. THEREFORE, BOTH COMMERCIAL AND RESIDENTIAL DEVELOPMENT AREA DESIGNS SHALL BE ORIENTED TO ACCOMMODATE AND PROVIDE POINTS OF ACCESS TO THE CITY'S PLANNED BIXBY CREEK TRAIL, AND WILL, WHERE NECESSARY, PROVIDE TRAIL EASEMENTS TO SUPPLEMENT EXISTING BIXBY CREEK RIGHT-OF-WAY. AS THE BIXBY CREEK RIGHT-OF-WAY WILL BE CONSIDERED A PUBLIC, LINEAR PARK AMENITY, WHETHER OR NOT THE CITY'S TRAIL IS ACTUALLY CONSTRUCTED AT THE TIME OF PLATTING, POINTS OF ACCESS AND DESIGN ORIENTATION SHALL BE PROVIDED TO THE RIGHT-OF-WAY. FURTHER, PEDESTRIAN AND BICYCLE CONNECTIVITY BETWEEN NEIGHBORHOODS AND TO ADJACENT AREAS WILL BE PLANNED AND INCLUDED IN DEVELOPMENT DESIGNS DURING THE PLATTING PROCESS.

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; PROVIDED, HOWEVER, THE CITY OF BIXBY MAY, THROUGH PLATTING, WAIVE THE SIDEWALK REQUIREMENT OF THE SUBDIVISION REGULATIONS UPON SHOWING OF GOOD CAUSE, SUCH AS WHERE BORROW DITCH SHOULDERS SERVE IN LIEU OF SIDEWALKS. SIDEWALKS SHALL BE A MINIMUM OF FOUR (4) FEET IN WIDTH, SHALL BE ADA COMPLIANT, AND SHALL BE APPROVED BY THE CITY ENGINEER. SIDEWALKS WHICH ARE PROPOSED OUTSIDE OF PUBLIC RIGHT-OF-WAY SHALL BE PLACED IN A PUBLIC SIDEWALK EASEMENT.

LIMITS OF NO ACCESS (LNA) WILL BE IMPOSED BY THE FUTURE PLAT(S) ALONG ARTERIAL STREET FRONTAGES, EXCEPT AT APPROVED STREET INTERSECTIONS.

4. 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. NONRESIDENTIAL BUILDINGS WITHIN DEVELOPMENT AREAS A AND B, AND ANY NEIGHBORHOOD AMENITIES REQUIRING A BUILDING PERMIT, SHALL SUBMIT AND RECEIVE BIXBY CITY STAFF APPROVAL OF A SITE PLAN APPLICATION.

5. CITY DEPARTMENT REQUIREMENTS

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

Preliminary/Conditional Final Plat

BXPUD-16.04
Development Area C

Crossing at Conrad Village Partial Replat

A REPLAT OF ALL OF
LOTS ONE (1) THROUGH FIVE (5), INCLUSIVE, BLOCK ONE (1), "CROSSING AT CONRAD VILLAGE", A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 7079)

SECTION III. PROPERTY OWNERS' ASSOCIATION

A. FORMATION OF PROPERTY OWNERS' ASSOCIATION

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN CROSSING AT CONRAD VILLAGE, PLAT NO. 7079) AND CROSSING AT CONRAD VILLAGE PARTIAL REPLAT (HEREIN SOMETIMES REFERRED TO AS "PROPERTY OWNERS' ASSOCIATION"). THE PROPERTY OWNERS' ASSOCIATION SHALL BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA FOR THE GENERAL PURPOSE OF MAINTAINING THE COMMON AREAS, INCLUDING BUT WITHOUT LIMITATION ALL RESERVE AREAS, AND ENHANCING THE VALUE, DESIRABILITY, AND ATTRACTIVENESS OF CROSSING AT CONRAD VILLAGE, CROSSING AT CONRAD VILLAGE PARTIAL REPLAT, AND OF ANY OTHER RESIDENTIAL SUBDIVISION WHICH MAY SUBSEQUENTLY BE ANNEXED TO OR MERGED WITH THE GEOGRAPHIC JURISDICTION AND BYLAWS OF THE PROPERTY OWNERS' ASSOCIATION. CROSSING AT CONRAD VILLAGE PARTIAL REPLAT TOGETHER WITH CROSSING AT CONRAD VILLAGE ADJOINS "ESTATES AT CONRAD VILLAGE" (PLAT NO. 7009) AND MAY BE ANNEXED TO OR MERGED WITH THE GEOGRAPHIC JURISDICTION AND BYLAWS OF THE PROPERTY OWNERS' ASSOCIATION FORMED BY THE OWNER PURSUANT TO ESTATES AT CONRAD VILLAGE.

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A RESIDENTIAL LOT IN CROSSING AT CONRAD VILLAGE PARTIAL REPLAT SHALL BE A MEMBER OF THE PROPERTY OWNERS' ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND SHALL NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT.

C. ASSESSMENT

EACH LOT WITHIN CROSSING AT CONRAD VILLAGE PARTIAL REPLAT SHALL BE SUBJECT TO ANNUAL AND SPECIAL ASSESSMENTS BY THE ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF COMMON AREAS, IN ACCORDANCE WITH THE COVENANTS FOR CROSSING AT CONRAD VILLAGE AND THE BYLAWS OF THE PROPERTY OWNERS' ASSOCIATION. SUCH FUNDS MAY BE USED FOR NEIGHBORHOOD EVENTS AS APPROVED BY THE ASSOCIATION.

D. ASSOCIATION TO BE BENEFICIARY

WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL BE DEEMED A BENEFICIARY OF THE VARIOUS COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THE DEED OF DEDICATION FOR CROSSING AT CONRAD VILLAGE PARTIAL REPLAT TO THE SAME EXTENT AS ALL OTHER BENEFICIARIES THEREOF, INCLUDING EACH LOT OWNER, THE CITY, AND THE SUPPLIER OF ANY UTILITY OR OTHER SERVICE WITHIN THE SUBDIVISION, AND SHALL HAVE THE RIGHT TO ENFORCE THESE COVENANTS AND AGREEMENTS.

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

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN 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. EASEMENTS AND UTILITIES MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS. NOTWITHSTANDING THE FOREGOING, THE COVENANTS CONTAINED WITHIN SECTION II. SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF AN AMENDMENT TO BXPUD-16.04 BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS, AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OR OTHER APPROVAL RECORD OF THE BIXBY PLANNING COMMISSION WITH THE TULSA COUNTY CLERK, OR UPON APPROVAL OF A MAJOR AMENDMENT TO BXPUD-16.04 UPON FILING OF RECORD AN ORDINANCE AND/OR OTHER VALID RECORD OF CITY OF BIXBY APPROVAL.

EXCEPT FOR SECTIONS I. AND II. AS STATED ABOVE, THE OWNERS OR THEIR ASSIGNEES MAY SUPPLEMENT, AMEND, OR TERMINATE THE COVENANTS STATED HEREIN BY EXECUTING AND RECORDING AN INSTRUMENT WITH THE TULSA COUNTY CLERK. THE PROVISIONS OF ANY INSTRUMENT SUPPLEMENTING, AMENDING, OR TERMINATING THESE COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS RECORDED IN THE RECORDS OF THE TULSA COUNTY CLERK.

D. SEVERABILITY

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

IN WITNESS WHEREOF, CONRAD FARMS BIXBY, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY HAS EXECUTED THIS INSTRUMENT ON THIS _____ DAY OF _____, 2025.

CONRAD FARMS BIXBY, LLC

AN OKLAHOMA LIMITED LIABILITY COMPANY

BY:_____

BRIAN J. GREEN, MANAGER OF LLC

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 J. GREEN, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF CONRAD FARMS BIXBY, LLC TO THE FOREGOING INSTRUMENT, AS ITS MANAGER, AND ACKNOWLEDGED TO ME THAT BRIAN J. GREEN EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF CONRAD FARMS BIXBY, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSES THEREIN SET FORTH THE DAY AND YEAR LAST ABOVE WRITTEN.

03/08/2028
MY COMMISSION EXPIRES

_____
JENNIFER MILLER, NOTARY PUBLIC

JENNIFER R. MILLER NOTARY PUBLIC STATE OF OKLAHOMA # 12002299 EXP. 03/08/2028 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 HEREIN AS "CROSSING AT CONRAD VILLAGE PARTIAL REPLAT", 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.

LICENSED PROFESSIONAL LAND SURVEYOR Dan Edwin Tanner 1435 OKLAHOMA

BY:_____

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

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

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

03/08/2028
MY COMMISSION EXPIRES

_____
JENNIFER MILLER, NOTARY PUBLIC

JENNIFER R. MILLER NOTARY PUBLIC STATE OF OKLAHOMA # 12002299 EXP. 03/08/2028 PUBLIC