

The City of Durant encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged in order to make the necessary accommodations. The City of Durant may waive the 48-hour rule if interpreters for the deaf (signing) or translation services for limited English proficient (LEP) individuals are not the necessary accommodation.

DURANT CITY COUNCIL

10:00 AM

**Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, OK 74701
SPECIAL AGENDA**

December 17, 2020

CALL TO ORDER

INVOCATION/FLAG SALUTE

ROLL CALL

ORDER OF BUSINESS

1. PUBLIC HEARING Consideration of PC2020-26, Final Plat for Property near Thomas Way and Joe Bullard Drive
 - (A) Public Hearing
 - (B) Consideration and action on PC2020-26 Final Plat

ADJOURNMENT

CERTIFICATE

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on December 4, 2020 at 4:45 p.m. and that an agenda of said meeting was posted at the place of such meeting at 7:30 a.m. on the 15th day of December, 2020.

Cynthia J. Price, City of Durant



The City of Durant

Office of Community Development

Memorandum

Date: 12/13/2020
To: Mayor and City Council
From: Danielle Barker, Community Development Director
Re: PUBLIC HEARING Consideration of PC2020-26, Final Plat for Property near Thomas Way and Joe Bullard Drive
(A) Public Hearing
(B) Consideration and action on PC2020-26 Final Plat

UPDATED INFORMATION: Since the last Planning Commission meeting in November, staff has received signatures and approval from all departments for this final plat, see attached. There were no issues stated from any staff member.

Request: Consider a request from Ryan Hackett for a Final Plat for Linden Woods Townhomes, located near Thomas Way and Joe Bullard Drive.

Current Zoning: R-3, General Residential / PUD

Surrounding Properties:

Direction	Zoning	Use
North	A-1	Vacant Property
East	A-1	Vacant Property
South	R-3	Single Family Uses
West	R-3	Single / Duplex Family Uses

Applicant: Ryan Hackett of Desert Ridge Investments

Background: Applicants approached staff regarding filing a final plat for the Linden Woods Townhome development. The applicant stated that all infrastructure is complete and majority of the structures are also built. As a note, some of the setbacks are different than what was in the preliminary plat, I have included a copy of the preliminary plat and highlighted the differences in the setbacks.

Notifications have been made to the surrounding property owners and at the time of this report no letters or phone calls have been received by staff.

Analysis: The subject property is approximately 3.6 acres in total and is divided into 7 lots. The applicant has completed all the public improvements, and most of the development is built at this point in time. This

development has city water and sewer running to it.

The current Land Use Map has this area as medium-density residential; therefore, this final plat is generally in compliance with the Comprehensive Plan.

Required Action: Hold a public hearing and approve or deny the Final Plat request for property located near Thomas Way and Joe Bullard Drive. Any specific conditions imposed by the Council should be read into any approval motion.

Council Information / Action Requested

Member of staff have signed off on the Final Plat sheet; however, Planning Commission will hear and make a recommendation on this item on Tuesday, December 15.

City Staff Information / Action Follow-up, if Council authorizes this action:

GIS to update City Maps
Community Development to notify applicant

ATTACHMENTS:

Description	Type	Upload Date
PC2020-26 Information	Cover Memo	12/14/2020
Preliminary Plat with differences on setbacks	Cover Memo	12/14/2020
Final Plat	Cover Memo	12/14/2020

**Minutes of the Durant Municipal Planning Commission Meeting of Tuesday,
November 17, 2020 Roscoe J. Hatfield, City Council Chambers, Durant City Hall**

CALL TO ORDER:

Planning Commission Chair Kevin Keener called the meeting to order at 5:41 p.m.

INVOCATION:

Drew Jackson

Roll Call:

Planning Commission Members:

Present: Knight (appeared at 5:53 p.m.), Horner, Jackson, Keener

Absent: Kerr

1. CONSIDERATION APPROVAL OF MINUTES

- Planning Commission Meeting of October 20, 2020
- Special Planning Commission Meeting of October 29, 2020

Commission Member Jackson made a request that motions be recorded as stated rather than generically recorded in the minutes moving forward.

Motion was made by Commission Member Jackson and seconded by Commission Member Horner to approve the minutes as presented.

Motion carried by the following vote:

Aye: Horner, Jackson, Keener

Nay:

Abstain:

Motion was made by Commission Member Jackson and seconded by Commission Member Horner to move to Item 3 on the agenda.

Motion carried by the following vote:

Aye: Horner, Jackson, Keener

Nay:

Abstain:

2. CONSIDERATION PC2020-26

Danielle Barker reviewed with the Planning Commission members a Final Plat request for Linden Woods Townhome development. It was stated that the applicant has completed all the public improvements and most of the development has been built at this point in time. Ms. Barker noted that one of the biggest differences is some of the setbacks are different than what was in the Preliminary Plat. The future land use map shows this area as medium-density residential and the Final Plat is generally in compliance with the Comprehensive Plan.

The Planning Commission asked questions regarding the setbacks and what was approved during the Preliminary Plat. The Commission further discussed City Staff creating a form for each

department to sign approving the Final Plat before it is presented to the Planning Commission. The Commission Members further discussed the item.

Motion was made by Commission Member Horner and seconded by Commission Member Knight to table the request for further review of the setbacks and streets by City Staff.

Motion carried by the following vote:

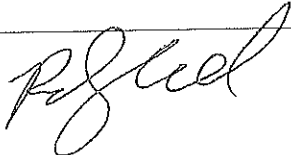
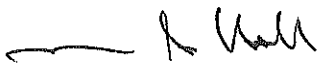
Aye: Knight, Horner, Jackson, Keener

Nay:

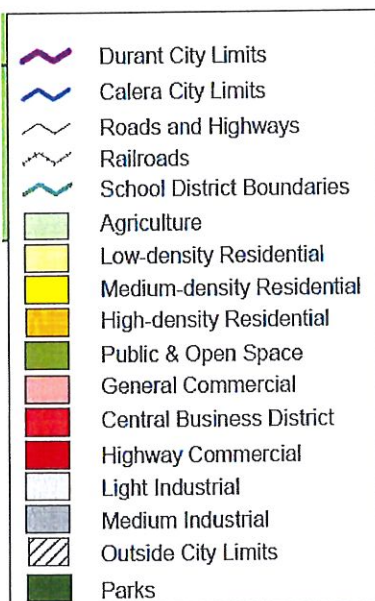
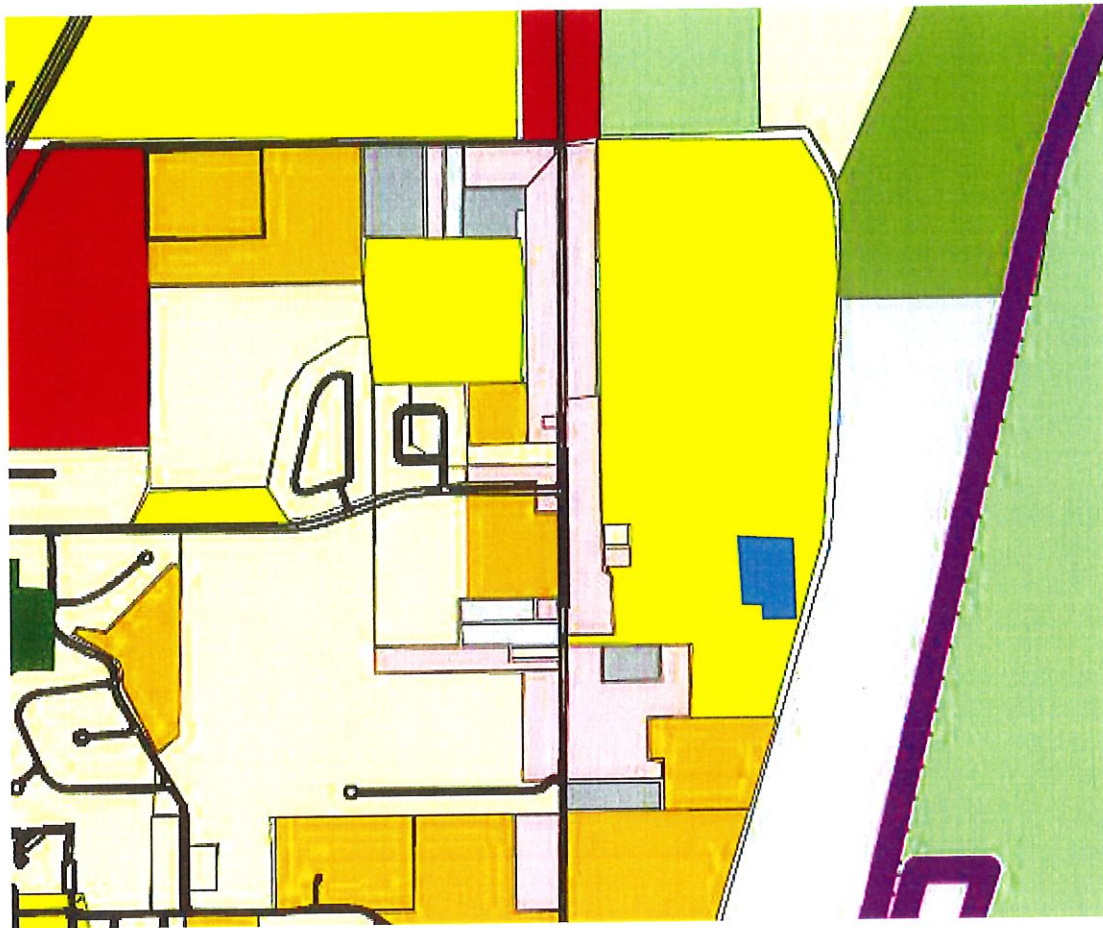
Abstain:

COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

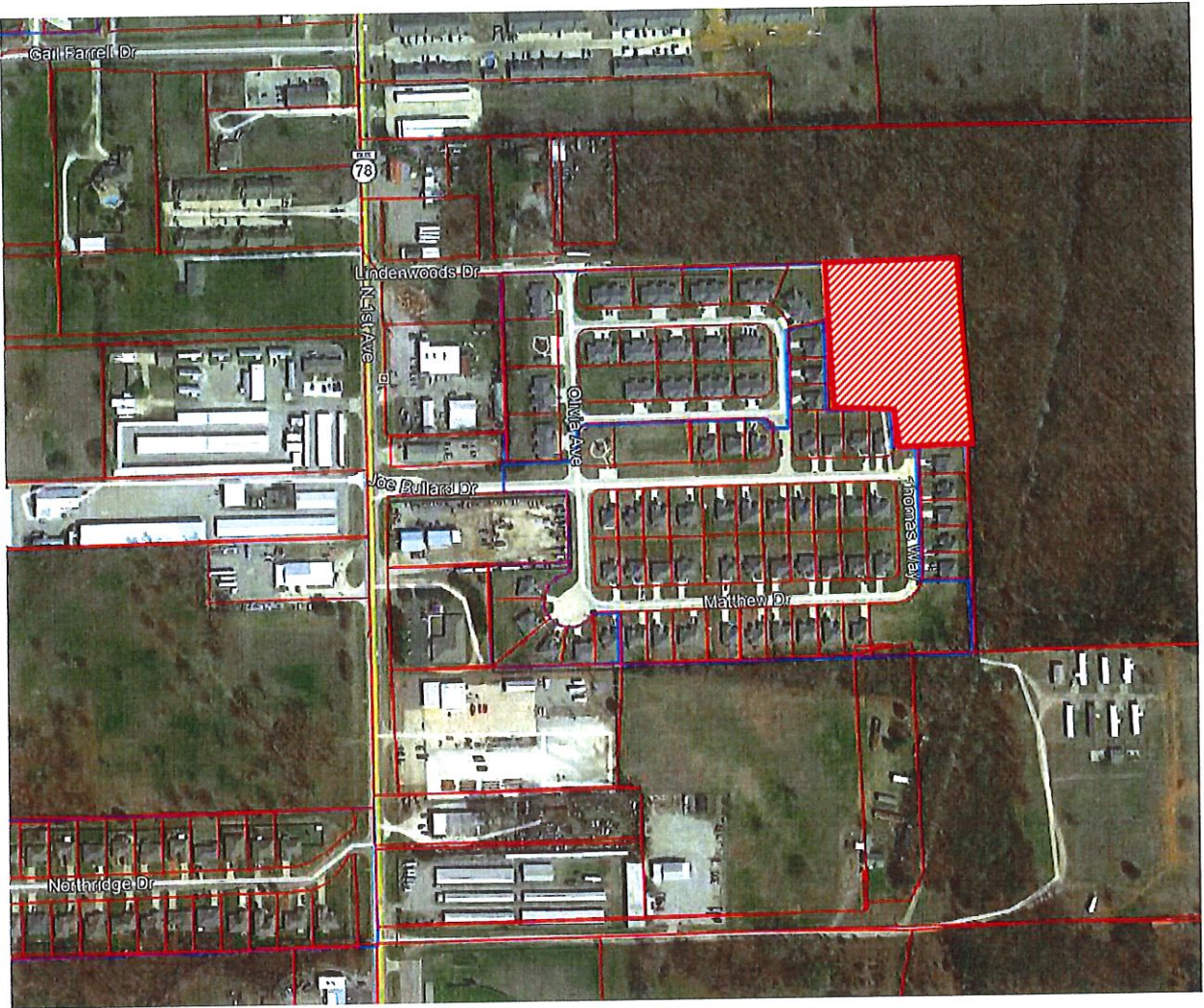
Linden Woods Townhomes

Department	Signature	Date	Notes
Com Dev Director		12/8/20	
M&O		12-08-2020	
Streets		12/4/20	ADA and parking in compliance. 
Fire Marshall		12-2-20	
Building Official		12-8-20	

Future Land Use Map

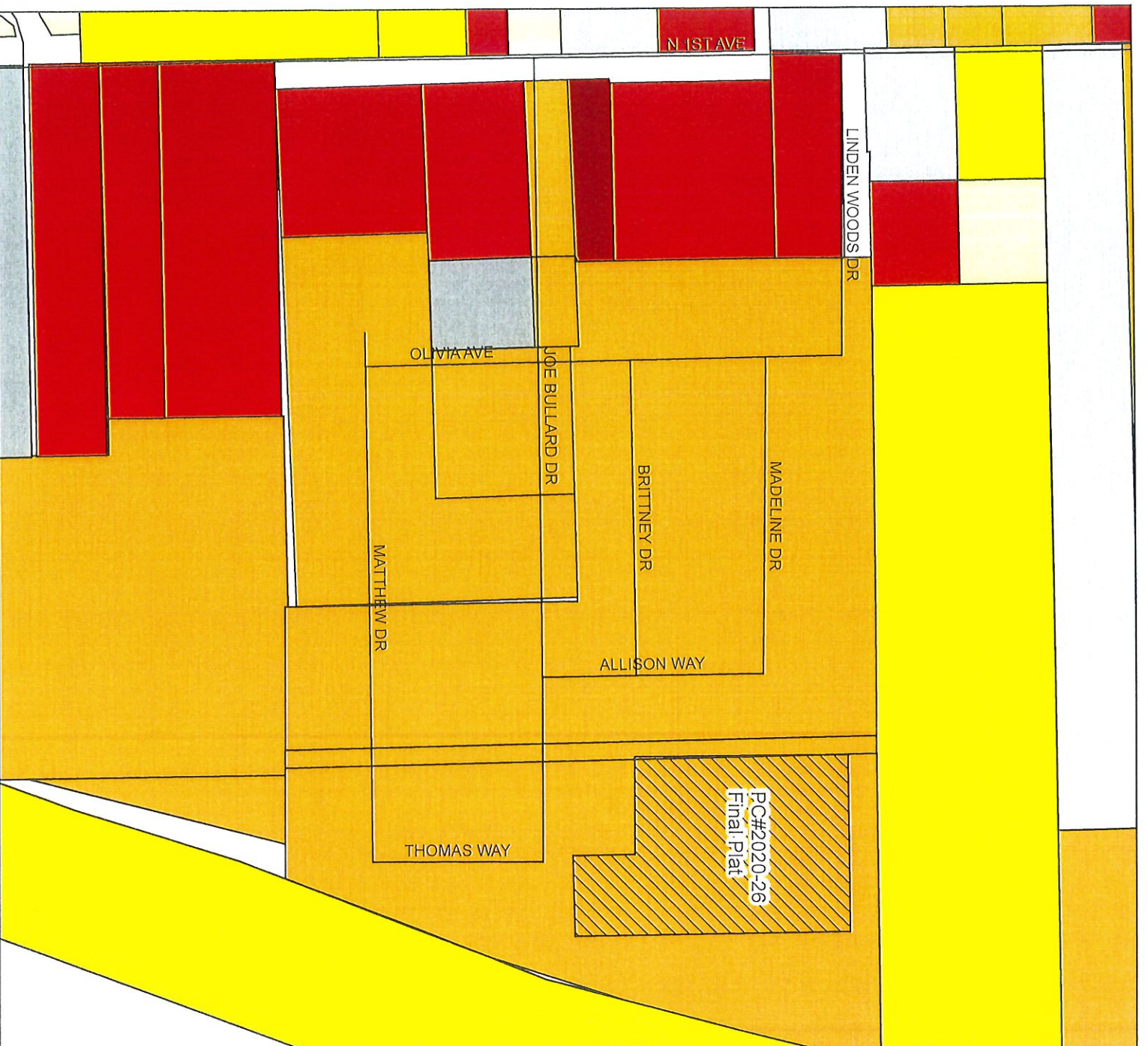


Aerial Photo



Zoning Map

Petition # 2020-26 - Thomas Way

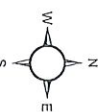


- A1 - Agriculture
- C0 - Professional & Business Office
- C1 - Convenient Commercial
- C2 - Highway Commercial
- C3 - General Commercial
- CBD - Central Business District
- H1 - Health Facilities
- I1 - Light Industrial
- I2 - Medium Industrial
- R1 - Single Family Residential
- R2 - Two Family Residential
- R3 - General Residential - Multi-Family

Use this map as a guide and not as definitive information. The information depicted by this map are provided for illustrative purposes only. Information such as (property ownership, acreage, property boundaries) are to be verified at the Bryan County Assessor's Office by the user. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.

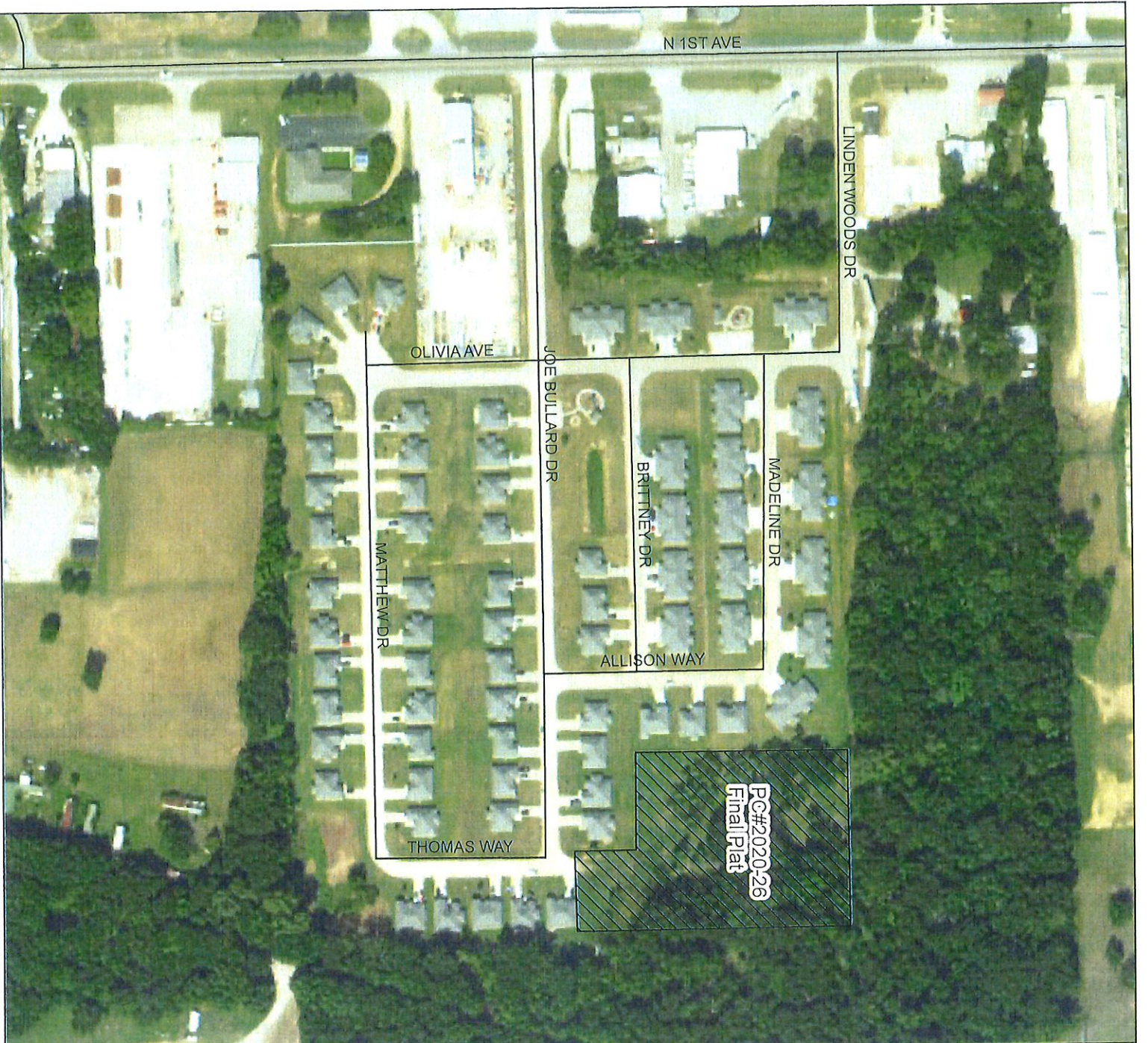


City of Durant
Community Development
Printed: October 26, 2020



Zoning Map

Petition # 2020-26 - Thomas Way



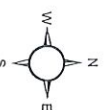
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City of Durant
Community Development

Printed: October 26, 2020



§ 156.028 AMENDMENTS TO SKETCH PLAT OR PRELIMINARY PLAT.

(A) At any time following the approval of a sketch plat or preliminary plat, and before the lapse of such approval, a property owner may request an amendment. The rerouting of streets, addition or deletion of alleys, or addition or deletion of more than 10% of the approved number of lots shall be considered a major amendment. The adjustment of street and alley alignments, lengths, and paving details; the addition or deletion of lots within 10% of the approved number and the adjustment of lot lines shall be considered minor amendments.

(B) The Community Development Director may approve or disapprove a minor amendment. Disapproval may be appealed to the Planning Commission under the terms of this code. Major amendments may be approved by the Planning Commission at a public meeting in accordance with the same requirements for the approval of a sketch plat or preliminary plat.

(C) Approval. The Planning Commission shall approve, conditionally approve or disapprove any proposed major amendment and may make any modifications in the terms and conditions of preliminary plat approval reasonably related to the proposed amendment.

(D) Retaining previous approval. If the applicant is unwilling to accept the proposed amendment under the terms and conditions required by the Planning Commission, the applicant may withdraw the proposed major amendment or appeal the action of the Planning Commission to the City Council in accordance with this code.

(Ord. 1573, passed 11-13-07)

§ 156.044 FINAL PLAT.

(A) Purpose. The purpose of the final plat is to create a record document which accurately describes the subdivided land, both as to accurate dimensions, and as to legal provisions which are pertinent to the subdivision. Much of the reason for this step is to make the transfer of the land more simple and certain. Land sales by reference to a legally filed plat are generally less complicated and more likely to provide the precise legal situation sought. The certainty of such sales derives from the assurance of an accurate survey and processes designed to assure the provision of facilities necessary to service the land.

(B) At the time the final plat and final plat checklist are submitted to the Community Development Department, the subdivider shall take one of the following courses of action:

(1) If the subdivider elects to, deposit the surety bond as specified in § 156.026, he or she shall submit plans for all improvements required under this chapter, such plans to bear the approval of the Planning Commission. Upon completion of a portion of the construction of the required improvements, the Planning Commission may release a portion of the surety bond in the amount of the costs of the constructed improvements, as estimated by the Planning Commission, Secretary or municipal staff. Before any portion of the surety bond may be released, the City Engineer, City Building Inspector or City Manager shall approve the as-built plans and specifications for that portion of the improvements for which the subdivider has requested release of the surety bond;

(2) If the subdivider elects to complete all improvements as specified in the preliminary plat, he or she shall submit the as-built specifications and as-built original tracings of all improvements. If the Secretary of the Planning Commission finds that the as-built plan and specifications comply with requirements, and that the actual construction is as shown in the plans and specifications, he or she shall endorse his or her approval thereon.

(C) All actions of the Planning Commission, whether approving final plats for all or part of an area shown in a preliminary plat shall, in so far as the plat involves dedications to the public, constitute only an authorization for the subdivider to submit the plat to the City Council to which the dedications are proposed. Such Planning Commission actions shall not constitute an acceptance of dedication or a commitment to accept dedication.

(D) Applicability. A final plat shall be required for subdivisions of property and the recording of single lots in accordance with these regulations.

(E) Application procedure and requirements. A final plat for minor subdivisions may be approved by the Community Development Director. A final plat for a major subdivision shall require approval by the Planning Commission. Final plats shall comply to the preliminary plat where applicable. The application shall be accompanied by the following:

(1) Four mylar and four paper copies of the proposed final plat bearing all information specified in these regulations and the following:

(a) The final plat shall be clearly and legibly prepared by a surveyor or engineer. The size of the map shall not be less than 22 inches by 34 inches and shall be drawn to the scale of one inch equals 100 feet, unless the Community Development Director authorizes a different scale in writing.

(b) Notice statement. "Notice: Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permits."

(c) Name of subdivision and the name and number of any larger subdivision of which this tract now subdivided was once a part.

(d) Number of lots and the acreage platted.

(e) Boundary lines. The boundary lines with accurate distances and bearings and the exact location and width of all existing or recorded streets intersecting the boundary of the tract.

(f) Bearing distances. True bearings and distances to the nearest established street lines and monuments, which shall be accurately described on the plat.

(g) Property offered for dedication. The accurate outline of all property which is offered for dedication for public use, and of all property that may be reserved by covenant in the deeds for the common use for the common use of the property owners in the subdivisions, with the purpose indicated thereon.

(h) The exact layout including:

1. Street and alley lines, including their names, bearings, angles of intersection and widths (including widths along the line of any intersecting street):

2. The length of all arcs, radii, internal angles, points of curvature, length, and bearings of the tangents.

3. All easements for rights-of-way provided for public services or utilities and any limitations of the easements.

4. All lot numbers and lines with accurate dimensions in feet and hundredths of feet and with bearings and angles to street and alley lines.

5. The location of the centerline of creeks or drainage ways with accurate dimensions in feet and hundredths of feet with bearings and angles.

(i) The accurate location, material, and size of all monuments approved by the City Engineer.

(j) Building setback lines for residential properties.

(k) Special restrictions including, but not limited to, drainage and floodway, fire lanes, and screening.

(l) In case the subdivision is traversed by water course, channel, stream, or creek, the prior or present location of such water course, channel, stream, or creek shall be shown on the plat and the boundary of the regulatory flood and the ten-year flood. It will be assumed that there is no significant difference between the two and the regulatory flood will be used, unless the owner shows the ten-year flood on the map.

(m) North point, scale, and date.

(n) Legal description according to the real estate records maintained by the County Clerk's office and area calculations.

(o) Location by section, town, range, township, county and state.

(p) Title of document and a vicinity sketch drawn to a scale of a maximum of 2,000 feet to the inch.

(2) Formal irrevocable offers of dedication to the public of all streets, local government uses, utilities, parks, and easements, in a form approved by the City Attorney. The plat shall be marked with a notation indicating the formal offers of dedication.

(3) The improvement agreement and security, if required, in a form satisfactory to the City Attorney and in an amount established by the Planning Commission upon recommendation of the City Engineer and shall include a provision that the property owner shall comply with all the terms of the final plat approval as determined by the Planning Commission.

(4) As-built construction plans, where applicable.

(5) Covenants and deed restrictions, if any.

(6) Accurate legal description.

(7) Certification by a registered public surveyor to the effect that the plat represents a survey made by him or her and that all the monuments shown thereon actually exist, and that their location, size, and material description are correctly shown, and that the survey correctly shows the location of all visible easements and rights-of-way and all rights-of-way, easements and other matters of record affecting the property being platted.

(8) The County Clerk's office and applicable state statutes may require additional information to be submitted or included on the final plat.

(F) Standards for approval. No final plat shall be approved by the Community Development Director, the Planning Commission or the City Council unless the following standards have been met:

(1) The plat substantially conforms to the preliminary plat.

(2) Required public improvements have been constructed and are ready to be accepted, and/or an improvement agreement has been accepted by the city providing for the subsequent completion of improvements.

(3) The plat conforms to applicable zoning and other regulations.

(4) Provision has been made for adequate public facilities under the terms of this chapter.

(5) The plat meets all other requirements of this chapter.

(G) Approval procedure. After review of the final plat, the Community Development Director shall place the final plat for consideration on the agenda of a public meeting of the Planning Commission. Minor plats may be approved by the Community Development Director or referred to the Planning Commission in accordance with these regulations. In the event of disapproval, reasons for disapproval shall be stated. One copy of the final subdivision plat shall be returned to the applicant with the date of approval, conditional approval or disapproval noted on the final plat, and, if the final plat is disapproved, the reasons for disapproval accompanying the final plat.

(H) Appeals. If the Planning Commission disapproves the final plat, the applicant may appeal to the City Council in the manner prescribed in these regulations.

(I) Certificate of compliance. Upon final approval of a final plat required by these regulations, the Planning Commission shall issue to the person applying for approval a certificate stating that the final plat has been approved by the Planning Commission and/or the City Council. For purposes of this section, final approval shall not occur until all conditions of approval have been met.

(J) Signing and recording of final plat.

(1) When an improvement agreement and security are required, the Chairman of the Planning Commission, or the Mayor, if approval has been granted by the City Council, and the Community Development Director or City Engineer shall endorse approval on the final plat after the agreement and security have been approved by the Planning Commission, and all the conditions pertaining to the final plat have been satisfied.

(2) When installation of public improvements is required prior to recordation of the final plat, the Chairman of the Planning Commission or the Mayor, if the plat has been approved by the City Council, and Community Development Director or City Engineer shall endorse approval on the final plat after all conditions of approval have been satisfied and all public improvements satisfactorily completed. There shall be written evidence that the required public improvements have been installed in a

manner satisfactory to the city as shown by a certificate signed by the City Engineer stating that the necessary dedication of public lands and installation of public improvements has been accomplished.

(3) It shall be the responsibility of the applicant to file the final plat with the County Clerk. Simultaneously with the filing of the final plat, the applicant shall record such other agreements of dedication and legal documents as shall be required to be recorded by the City Attorney. The final plat, bearing all required signatures, shall be recorded after final approval and within ten working days of its receipt. One copy of the recorded final plat shall be returned to the city prior to the issuance of any building permits.

(K) Effect of approval. Approval of a final plat shall certify compliance with the regulations of the city pertaining to the subdivision of land. An approved and signed final plat may be filed with the county as a record of the subdivision of land and may be used to reference lots and interests in property thereon defined for the purpose of conveyance and development as allowed by these regulations.

(L) Lapse of final plat approval. The approval of a final plat shall be effective for a period of six months from the date that the final plat is approved by the Planning Commission or the City Council, at the end of which time the applicant must have met the requirements for recording of the final plat with the County Clerk. If the applicant has not met the requirements for recording of the final plat with the County Clerk within six months, or an extension is not granted in accordance with these regulations, the final plat approval shall be null and void, and the applicant shall be required to submit a new plat for review subject to the then existing zoning restrictions and subdivision regulations. No certificate of occupancy or change of occupancy permit will be allowed for the property until the applicant has met the requirements for filing of the final plat with the County Clerk.

(Ord. 1573, passed 11-13-07)

Subdivision/Plat Application

Petition # PC 2020-26

Preliminary Plat: ☐

Fee \$ 300.00

Final Plat: ☒

Expedited Fee \$ _____

APPLICANT INFORMATION

Name: Ryan Hackett	Email: ryan@desertridgeinvestments.com	Phone #1 801-554-1912
Mailing Address: 3390 Crestbrook Lane		Phone #2
City: Salt Lake City	State: Utah	Zip: 84109
		Fax # 801-828-2839
Applicant's Interest in Property: Developer/Owner		

SURVEYOR INFORMATION

Name: Robby L. Johnson	Email: rljohnson@okrpls.com	Phone #1 580-399-6460
Mailing Address: PO Box 2618		Phone #2
City: Ada	State: Oklahoma	Zip: 74821
		Fax # 888-662-7778
Surveyor Oklahoma License Number: CA#1539		

ENGINEER INFORMATION

Name: Christopher Burdick	Email: cburdick@envirotechconsulting.com	Phone #1 580-977-9312
Mailing Address: 2500 N. 11 th		Phone #2
City: Enid	State: Oklahoma	Zip: 73701
		Fax #
Engineer Oklahoma License Number: CA#1960		

LAND INFORMATION

Legal Description: See Attached PLAT for Meets and Bounds	Parcel Number:
PLANNED UNIT DEVELOPMENT LINDEN WOOD - PHASE 4 PART OF SOUTHWEST QUARTER OF SECTION 21 TOWNSHIP 6 SOUTH, RANGE 9 EAST, DURANT BRYAN COUNTY, OKLAHOMA	
Proposed Subdivision Name: Linden Woods - Phase 4	Current Zone: R-3
Proposed Use: Multifamily Housing	Proposed Zone: R-3
Current Property Owner's Name: LINDENWOODS TOWNHOMES I, LLC, LINDENWOODS TOWNHOMES II, LLC, LINDENWOODS TOWNHOMES III, LLC	

The applicant has prepared this application and supporting documentation and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Applicant: [Signature] Date: 10/16/2020

Office Use Only

Date Filed	Date Payment Received	Notification Mailed	Comments
Initial	Initial	Date Initial	
Proof of Publication Received		Property Posting Verified	Comprehensive Plan Recommendations
Date	Initial	Date	
Staff Recommendation ___ Approve ___ Deny	PC Recommendation ___ Approve ___ Deny	City Council Action ___ Approve ___ Deny	Ordinance #

APPLICATION WILL NOT BE CONSIDERED COMPLETE WITHOUT THE FOLLOWING
INFORMATION ADDRESSED:

Please describe the nature and operating characteristics of the proposed use:

The site has been approved as a multifamily apartment community. The buildings are Townhouse construction and consist of 2 and 3 bedroom apartment homes. There are three projects that make up the site within the PLAT consisting of a 12 unit project, 13 unit, and 14 unit project. The buildings are all under the same operating management group.

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:

On grade surface parking is provided in the front of each Townhouse building for the residents. The parking is constructed in concrete and is providing in stalls off the main thoroughfare street. The number of parking stalls has been approved by the city in the initial site design.

2. Screening of offensive areas (trash, loading areas, transformers, utility connections, detention ponds, etc.).

Utility connections have all been completed according to City Standards and are located underground. Trash enclosures are provided to make the dumpsters accessible to waste removal trucks, but also to hide as much of the dumpster as possible. The detention pond is located behind one of the buildings and is not easily seen from the street.

3. Traffic Impacts:

There is a slight increase to traffic due to the increase in apartment homes from the development. There is adequate space for emergency vehicles and access per city requirements.

4. Protection of Neighborhoods:

The Townhomes are consistent with the neighborhood in color selection. The neighborhood is also an apartment community consisting of single family and duplex for rent housing. Current neighbors to the north and east is still undeveloped land.

What licenses and permits (if any) are required for this proposed use?

We obtained all of the City required building permits and utility connections in building the project. The project has installed the street and utilities according to plan.

Please list or describe any other reasons to support this Subdivision/Final Plat Application.

The roads and infrastructure has been installed according to the City requirements for the roads and infrastructure. All City permits were obtained and the subdivision has met the City requirements. Several of the buildings have Certificates of Occupancy.

[illegible]

45' ROAD/UTILITY EASEMENT
BOOK 1313 PAGE 1002

STATE OF T
COUNTY OF

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Lindenwood
By: LT II GP
By: Express

By: Kristine

STATE OF
COUNTY C

Before me,
personally
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for the use

Lindenwood
By: LT III C
By: Express

By: Kristin

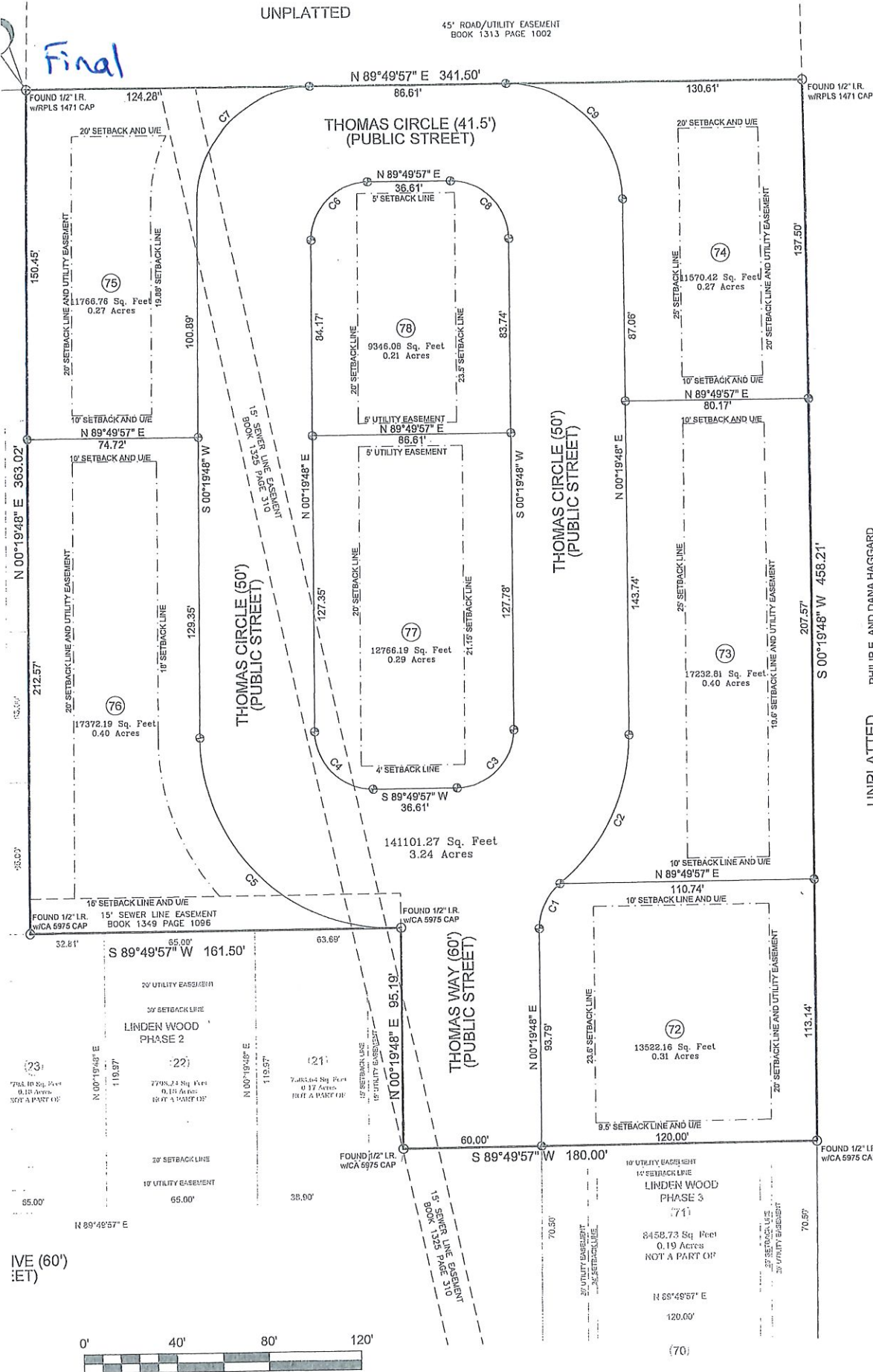
STATE OF
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PHILIP E. AND DANA HAGGARD
BOOK 790 PAGE 979
NOT A PART OF

INPI ATTENDANT

C1
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PRELIMINARY
DOCUMENTS
NOT FOR
CONSTRUCTION



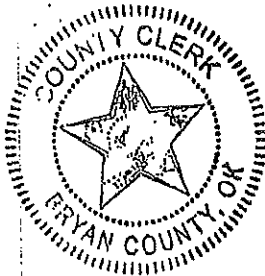
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NO.	DATE	REVISION	DRAWN BY	CHECKED BY

Sheet No. 2 of 10	Date: July 5, 2019
	Scale: 1"=30'
	Designed by: C. Burdick
	Drawn by: C. Burdick
	Checked By: J. Stallings
	Project No. 19.171

North Half of the Southwest Quarter (SW/4) of Section Twenty One (21), Township Six (6) South, Range Nine (9) East of the Indian Meridian, Bryan County, Oklahoma

North Half of the Southwest Quarter (SW/4) of Section Twenty One (21), Township Six (6) South, Range Nine (9) East of the Indian Meridian, Bryan County, Oklahoma



WARRANTY DEED (INDIVIDUAL)

1-2019-719103 Book 1513 Pg: 432
11/27/2019 8:41 am Pg 0432-0433
Fee: \$ 20.00 Doc: \$ 225.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

KNOW ALL MEN BY THESE PRESENTS:

That, **HPH INVESTORS, LP**, an Oklahoma limited partnership, party of the first part, in consideration of the sum of Ten and more (\$10.00) Dollars, the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto **LINDENWOODS TOWNHOMES I, LLC**, an Oklahoma limited liability company, 8580 County Road 167, McKinney, TX 75071, party of the second part, the following described real property and premises, situated in Bryan County, State of Oklahoma, to-wit:

A tract of land located in the N/2 SW/4 of Section 21, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, more particularly described as follows: Commencing at the Southwest corner of the NW/4 SW/4 of said Section 21; Thence North 00 degrees 19 minutes 48 seconds East along the West line of said NW/4 SW/4 a distance of 969.00 feet; Thence North 89 degrees 49 minutes 57 seconds East, parallel with the South line of the N/2 SW/4 a distance of 1169.32 feet; Thence South 00 degrees 19 minutes 48 seconds West, parallel with the West line of the SW/4, a distance of 153.45 feet to the POINT OF BEGINNING; Thence North 89 degrees 49 minutes 57 seconds East, parallel with the South line of the N/2 SW/4, a distance of 261.33 feet; Thence South 00 degrees 19 minutes 48 seconds West, parallel with the West line of the SW/4 a distance of 130.78 feet; Thence on a curve to the right, having a radius of 82.50 feet, a chord bearing of South 25 degrees 49 minutes 27 seconds West, a chord length of 71.02 feet, an arc length of 73.42 feet to a point of reverse curvature; Thence on a curve to the left, having a radius of 25.00 feet, a chord bearing of South 25 degrees 49 minutes 27 seconds West, a chord length of 21.52 feet, an arc length of 22.25 feet; Thence South 00 degrees 19 minutes 48 seconds West, parallel with the West line of the SW/4 a distance of 93.79 feet; Thence South 89 degrees 49 minutes 57 seconds West, parallel with the South line of the N/2 SW/4, a distance of 60.00 feet; Thence North 00 degrees 19 minutes 48 seconds East, parallel with the West line of the SW/4, a distance of 95.19 feet; Thence South 89 degrees 49 minutes 57 seconds West, parallel with the South line of the N/2 SW/4, a distance of 161.50 feet; Thence North 00 degrees 19 minutes 48 seconds East, parallel with the West line of the SW/4, a distance of 212.57 feet to the Point of Beginning.

Revenue Stamps: \$225.00

STATE OF OKLAHOMA
Bryan County
Documentary Stamps \$ 225.00

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto party of the second part, its heirs and assigns, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

SIGNED AND SEALED this the 21st day of November, 2019.

HPH INVESTORS, LP
an Oklahoma limited partnership,
By: Express Development, Inc.,
General Partner

[Signature]
By: Kristine M. Tibbetts, President

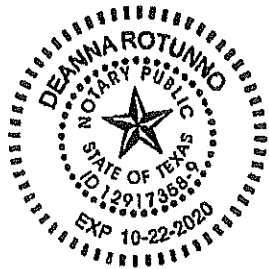
STATE OF Texas)
COUNTY OF Collin) ss. ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this 21st day of November, 2019, personally appeared Kristine M. Tibbetts, to me known to be the identical person who subscribed the name of the maker thereof to the within and foregoing instrument as President, and acknowledged to me that she executed the same as her free and voluntary act and deed and as the free and voluntary act and deed of such limited partnership, for the uses and purposes therein set forth.

WITNESS my hand and Seal the day and year last above written.

[Signature]
NOTARY PUBLIC

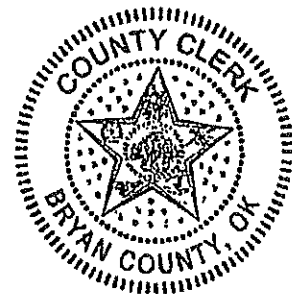
My Commission Expires: 10/22/2020



1-2019-719103 Book 1513 Pg: 433
11/27/2019 8:41 am Pg 0432-0433
Fee: \$ 20.00 Doc: \$ 225.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

1-2019-719094 Book 1513 Pg: 343
11/26/2019 2:52 pm Pg 0343-0344
Fee: \$ 20.00 Doc: \$ 147.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

WARRANTY DEED (INDIVIDUAL)



KNOW ALL MEN BY THESE PRESENTS:

That, **HPH INVESTORS, LP**, an Oklahoma limited partnership, party of the first part, in consideration of the sum of Ten and more (\$10.00) Dollars, the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto **LINDENWOODS TOWNHOMES II, LLC**, an Oklahoma limited liability company, 8580 County Road 167, McKinney, TX 75071, party of the second part, the following described real property and premises, situated in Bryan County, State of Oklahoma, to-wit:

A tract of land located in the N/2 SW/4 of Section 21, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, more particularly described as follows: Commencing at the Southwest corner of the NW/4 SW/4 of said Section 21; Thence North 00 degrees 19 minutes 48 seconds East along the West line of said NW/4 SW/4 a distance of 969.00 feet; Thence North 89 degrees 49 minutes 57 seconds East, parallel with the South line of the N/2 SW/4, a distance of 1510.82 feet; Thence South 00 degrees 19 minutes 48 seconds West, parallel with the West line of the SW/4, a distance of 137.50 feet to the Point of Beginning; Thence continuing South 00 degrees 19 minutes 48 seconds West a distance of 320.71 feet; Thence South 89 degrees 49 minutes 57 seconds West, parallel with the South line of the N/2 SW/4 a distance of 120.00 feet; Thence North 00 degrees 19 minutes 48 seconds East, parallel with the West line of the SW/4 a distance of 93.79 feet; Thence on a curve to the right, having a radius of 25.00 feet, a chord bearing of North 25 degrees 49 minutes 27 seconds East, a chord length of 21.52 feet, an arc length of 22.25 feet to a point of reverse curvature; Thence on a curve to the left, having a radius of 82.50 feet, a chord bearing of North 25 degrees 49 minutes 27 seconds East, a chord length of 71.02 feet; an arc length of 73.42 feet; Thence North 00 degrees 19 minutes 48 seconds East, parallel with the West line of the SW/4, a distance of 143.74 feet; Thence North 89 degrees 49 minutes 57 seconds East, parallel with the South line of the N/2 SW/4, a distance of 80.17 feet to the Point of Beginning.

Revenue Stamps: \$147.00

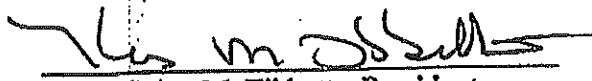
together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto party of the second part, its heirs and assigns, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

STATE OF OKLAHOMA
Bryan County
Documentary Stamps \$ 147.00

SIGNED AND SEALED this the 21st day of November, 2019.

HPH INVESTORS, LP
an Oklahoma limited partnership,
By: Express Development, Inc.,
General Partner


By: Kristine M. Tibbetts, President

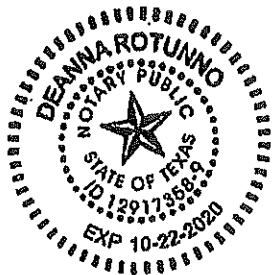
STATE OF Texas)
COUNTY OF Collin) ss. ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this 21st day of November, 2019, personally appeared Kristine M. Tibbetts, to me known to be the identical person who subscribed the name of the maker thereof to the within and foregoing instrument as President, and acknowledged to me that she executed the same as her free and voluntary act and deed and as the free and voluntary act and deed of such limited partnership, for the uses and purposes therein set forth.

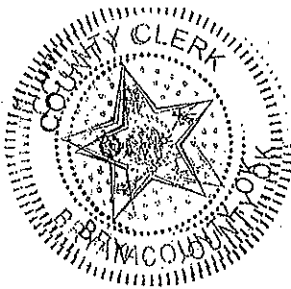
WITNESS my hand and Seal the day and year last above written.


NOTARY PUBLIC

My Commission Expires: 10/22/2020



1-2019-718094 Book 1513 Pg: 344
11/28/2019 2:52 pm Pg 0343-0344
Fee: \$ 20.00 Doc: \$ 147.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma



WARRANTY DEED (INDIVIDUAL)

I-2020-722928 Book 1524 Pg: 1,025
04/20/2020, 3:01 pm Pg 1025-1026
Fee: \$ 20.00 Doc: \$ 225.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

KNOW ALL MEN BY THESE PRESENTS:

That, **HPH INVESTORS, LP**, an Oklahoma limited partnership, party of the first part, in consideration of the sum of Ten and more (\$10.00) Dollars, the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto **LINDENWOODS TOWNHOMES III, LLC**, an Oklahoma limited liability company, 8580 County Road 167, McKinney, TX 75071, party of the second part, the following described real property and premises, situated in Bryan County, State of Oklahoma, to-wit:

A tract of land located in the N/2 SW/4 of Section 21, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, more particularly described as follows: Commencing at the Southwest corner of the NW/4 SW/4 of said Section 21; Thence North 00 degrees 19 minutes 48 seconds East along the West line of said NW/4 SW/4 a distance of 969.00 feet; Thence North 89 degrees 49 minutes 57 seconds East parallel with the South line of the N/2 SW/4 a distance of 1169.32 feet to the Point of Beginning; Thence continuing North 89 degrees 49 minutes 57 seconds East parallel with the South line of the N/2 SW/4 a distance of 341.50 feet; Thence South 00 degrees 19 minutes 48 seconds West parallel with the West line of the SW/4 a distance of 137.50 feet; Thence South 89 degrees 49 minutes 57 seconds West parallel with the South line of the N/2 SW/4 a distance of 80.17 feet; Thence South 00 degrees 19 minutes 48 seconds West parallel with the West line of the SW/4 a distance of 12.96 feet; Thence South 89 degrees 49 minutes 57 seconds West parallel with the South line of the N/2 SW/4 a distance of 261.33 feet; Thence North 00 degrees 19 minutes 48 seconds East parallel with the West line of the SW/4 a distance of 150.45 feet to the Point of Beginning.

Revenue Stamps: \$225.00

STATE OF OKLAHOMA
Bryan County
Documentary Stamps \$ 225.00

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto party of the second part, its heirs and assigns, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

SIGNED AND SEALED this the 14th day of April, 2020.

HPH INVESTORS, LP
an Oklahoma limited partnership,
By: Express Development, Inc.,
General Partner

Kristine M. Tibbetts
By: Kristine M. Tibbetts, President

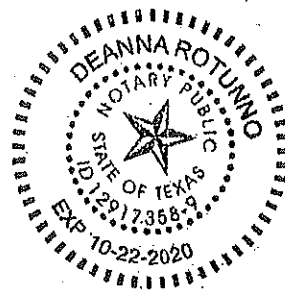
STATE OF Texas)
) ss. ACKNOWLEDGMENT
COUNTY OF Collin)

Before me, the undersigned, a Notary Public in and for said County and State, on this 14th day of April, 2020, personally appeared Kristine M. Tibbetts, to me known to be the identical person who subscribed the name of the maker thereof to the within and foregoing instrument as President, and acknowledged to me that she executed the same as her free and voluntary act and deed and as the free and voluntary act and deed of such limited partnership, for the uses and purposes therein set forth.

WITNESS my hand and Seal the day and year last above written.

Deanna Rotunno
NOTARY PUBLIC

My Commission Expires: Oct. 22, 2020



Presented for filing by: Bryan County Abstract
File No. 2020010057
Insurer: First American

1-2020-722928 Book 1524 Pg: 1,026
04/20/2020 3:01 pm Pg 1025-1026
Fee: \$ 20.00 Doc: \$ 225.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

45' ROAD/UTILITY EASEMENT
BOOK 1286 PAGE 729

89°49'57" E 1169.32'

UTILITY EASEMENT
SETBACK LINE

LINDEN WOOD PHASE 1
HERITAGE PARK PLACE, LP
BOOK 1286 PAGE 715

ALLISON WAY (50')
(PUBLIC STREET)

LINDEN WOOD
PHASE 2

JOE BULLARD DRIVE (60')
(PUBLIC STREET)

P.O.B.
FOUND 1/2" I.R.
w/RPLS 1471 CAP

N 00°19'48" E 363.02'

FOUND 1/2" I.R.
w/CA 5975 CAP

S 89°49'57" W 161.50'

N 00°19'48" E 95.19'

FOUND 1/2" I.R.
w/CA 5975 CAP

45' ROAD/UTILITY EASEMENT
BOOK 1313 PAGE 1002

N 89°49'57" E 341.50'

THOMAS CIRCLE (41.5')
(PUBLIC STREET)

THOMAS CIRCLE (50')
(PUBLIC STREET)

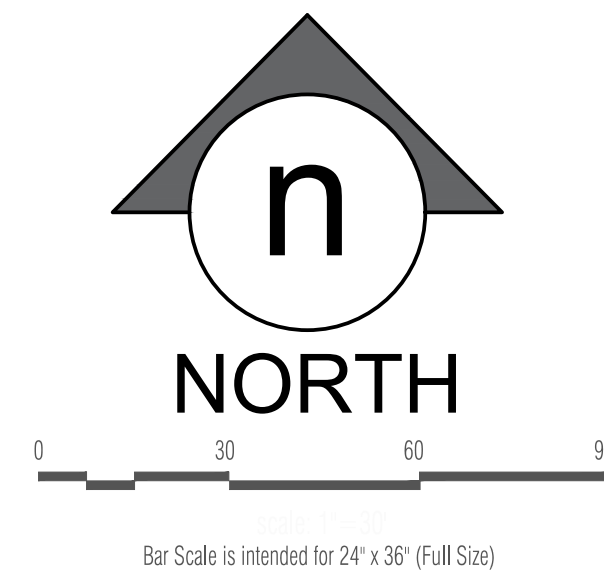
THOMAS CIRCLE (50')
(PUBLIC STREET)

JAS WAY (60')
(PUBLIC STREET)

S 89°49'57" W 180.00'

S 00°19'48" W 458.21'

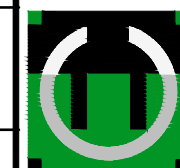
PHILIP E. AND DANA HAGGARD
BOOK 780 PAGE 979



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NO.	DATE	REVISION	DRAWN BY	CHECKED BY



PRELIMINARY
DOCUMENTS
NOT FOR
CONSTRUCTION

LINDEN WOODS II, L.P.

DIMENSION CONTROL PLAN

Linden Wood Townhomes Addition

North Half of the Southwest Quarter (N/2 SW/4) of Section Twenty One (21), Township
Six (6) South, Range Nine (9) East of the Indian Meridian, Bryant County, Oklahoma

Date: July 5, 2019

Scale: 1"=30'

Designed by: C. Burdick

Drawn by: C. Burdick

Checked by: J. Stallings

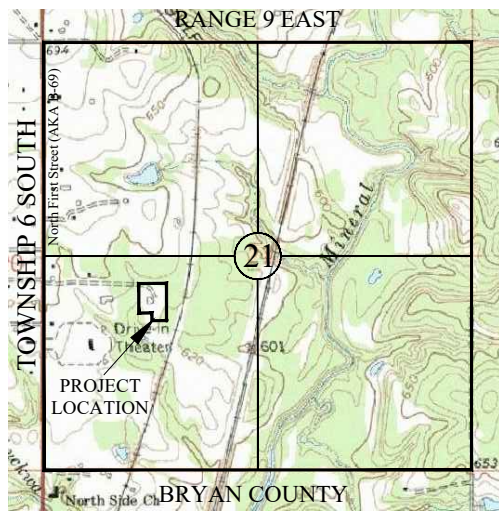
Project No. 19.171

Sheet No.

2 of 10

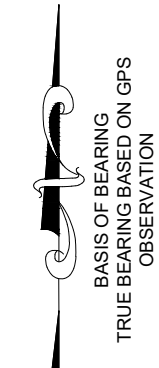
ENVIROTECH
ENGINEERING & CONSULTING, INC.

2500 North 11th Street - Enid, Oklahoma 73701
Phone (580) 234-8780, Fax (580) 237-4302
C.A. #1960 - Expiration Date: 6-30-2020
www.envirotechconsulting.com

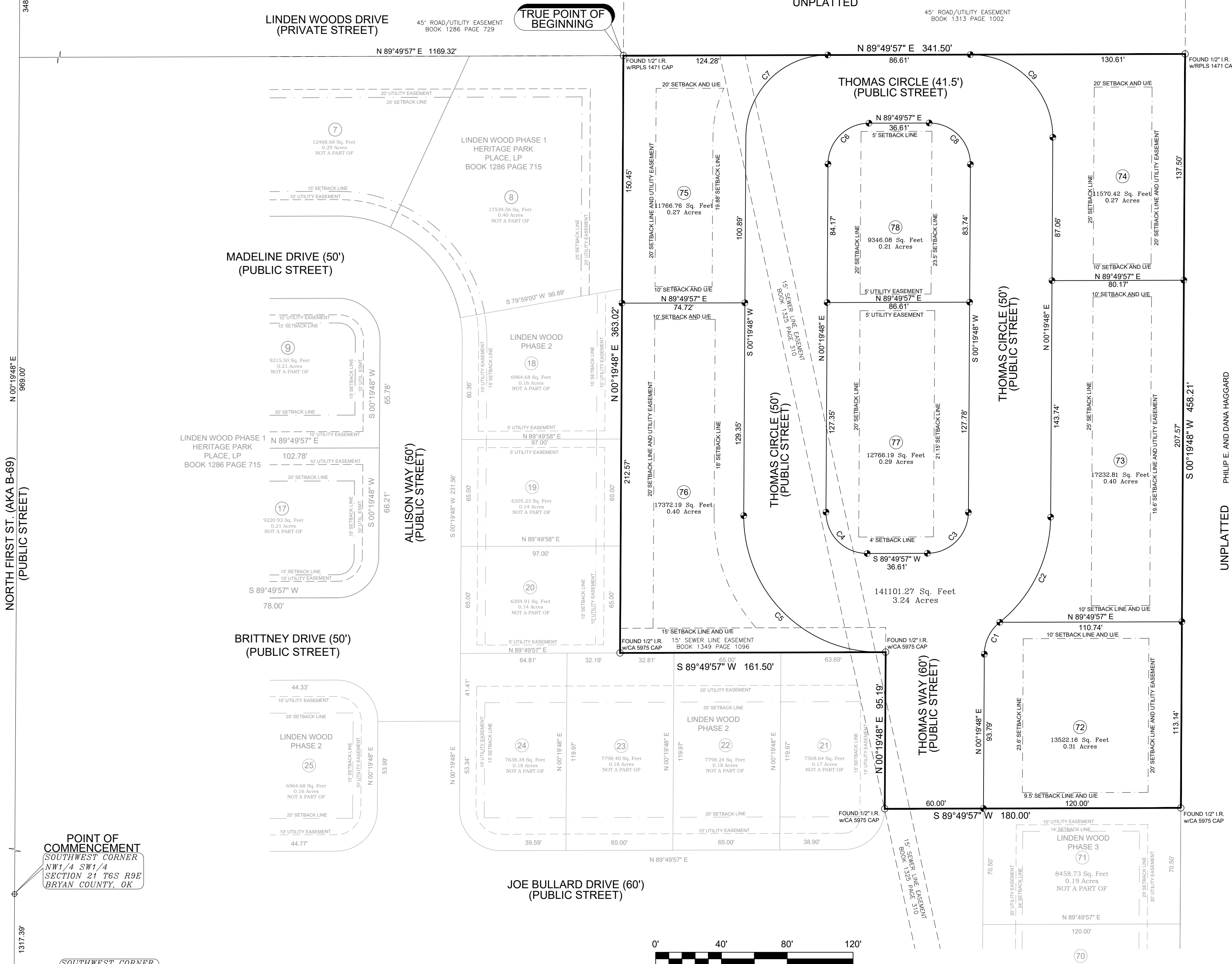


LOCATION MAP

PLANNED UNIT DEVELOPMENT
LINDEN WOOD - PHASE 4
PART OF SOUTHWEST QUARTER OF SECTION 21
TOWNSHIP 6 SOUTH, RANGE 9 EAST, DURANT
BRYAN COUNTY, OKLAHOMA



NORTHWEST CORNER
SOUTHWEST QUARTER
SECTION 21 T6S R9E
BRYAN COUNTY, OK
FILED CORNER



OWNERS CERTIFICATE & DEDICATION:

LEGAL DESCRIPTION Warranty Deed Book 1323, Page 42 Tract 83.
A tract of land located in the North Half of the Southwest Quarter (N/2 SW/4) of Section Twenty One (21), Township Six (6) South, Range Nine (9) East of the Indian Meridian, Bryan County, Oklahoma, more particularly described as follows:
Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section 21;
Thence North 02°19'48" East, along the West line of said NW/4 SW/4, a distance of 993.00 feet;
Thence North 89°49'57" East, parallel with the South line of the North Half of the Southwest Quarter (N/2 SW/4), a distance of 1169.32 feet to the POINT OF BEGINNING;
Thence Continuing North 89°49'57" East, parallel with the South line of the North Half of the Southwest Quarter (N/2 SW/4), a distance of 341.50 feet;
Thence South 00°19'48" West, parallel with the West line of the Southwest Quarter (SW/4), a distance of 458.21 feet;
Thence South 89°49'57" West, parallel with the South line of the North Half of the Southwest Quarter (N/2 SW/4), a distance of 180.00 feet;
Thence North 00°19'48" East, parallel with the West line of the Southwest Quarter (SW/4), a distance of 95.19 feet;
Thence South 89°49'57" West, parallel with the South line of the Southwest Quarter (SW/4), a distance of 161.50 feet;
Thence North 00°19'48" East, parallel with the West line of the Southwest Quarter (SW/4), a distance of 363.02 feet to the POINT OF BEGINNING. Containing 3.24 acres more or less. All bearings contained in the legal description were based upon True Bearings by GPS Observation, Prepared on this date October 4, 2012 by Overt D. Bennett, RPLS #1471 Oklahoma.

OWNERS CERTIFICATE & DEDICATION:

The undersigned hereby dedicate for the public use of all the street shown hereon and dedicate for use by public or quasi-public entities providing electric, telephone, gas or water utility services, or sewer services, those easements labeled Drainage Easement, Utility Easement, or both, shown hereon, all in the width, length, and location designated on the plat, and such easements shall not be used for ingress and egress by the public nor by any other utility service company or persons whomsoever except as incidental to and required in connection with the use of the easements for their specific purpose as shown on the annexed plat of **LINDEN WOOD - PHASE 4** to Bryan County, Oklahoma. The transaction of this irrevocable offer of dedication shall be consummated upon the execution of the Acceptance of Dedication by City Council as set forth hereon, for the purpose of providing an orderly development of **LINDEN WOOD - PHASE 4** to DURANT, BRYAN COUNTY, OKLAHOMA.

Lindenwoods Townhomes II, LLC
By: LTI GP, LLC, its Managing Member
By: Express Development, Inc., its Manager

By: Kristine M. Tibbetts, President
STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned, a notary public in and for said County and State on this ___ day of ___, 2020, personally appeared Kristine M. Tibbetts, President of Express Development Inc., the Manager of LTI GP, LLC, the Managing Member of LINDENWOODS TOWNHOMES II, LLC, to me known to be the identical person who executed within and foregoing instrument and acknowledge to me that SHE executed the same as HER free and voluntary act and deed for the uses and purposes therein set forth.

Lindenwoods Townhomes II, LLC
By: LTI GP, LLC, its Managing Member
By: Express Development, Inc., its Manager

By: Kristine M. Tibbetts, President
STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned, a notary public in and for said County and State on this ___ day of ___, 2020, personally appeared Kristine M. Tibbetts, President of Express Development Inc., the Manager of LTI GP, LLC, the Managing Member of LINDENWOODS TOWNHOMES II, LLC, to me known to be the identical person who executed within and foregoing instrument and acknowledge to me that SHE executed the same as HER free and voluntary act and deed for the uses and purposes therein set forth.

Lindenwoods Townhomes III, LLC
By: LTI GP, LLC, its Managing Member
By: Express Development, Inc., its Manager

By: Kristine M. Tibbetts, President
STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned, a notary public in and for said County and State on this ___ day of ___, 2020, personally appeared Kristine M. Tibbetts, President of Express Development Inc., the Manager of LTI GP, LLC, the Managing Member of LINDENWOODS TOWNHOMES III, LLC, to me known to be the identical person who executed within and foregoing instrument and acknowledge to me that SHE executed the same as HER free and voluntary act and deed for the uses and purposes therein set forth.

CURVE DATA

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	122.25'	25.00'	90°59'18"	S 75°49'27" W	21.52'
C2	73.42'	82.50'	50°59'18"	N 25°49'27" E	71.02'
C3	39.05'	25.00'	89°30'09"	N 45°04'53" E	35.20'
C4	39.49'	25.00'	90°29'51"	S 44°55'07" E	35.51'
C5	130.31'	82.50'	90°29'51"	S 44°55'07" E	117.18'
C6	39.05'	25.00'	89°30'09"	S 45°04'53" W	35.20'
C7	78.11'	50.00'	89°30'09"	S 45°04'53" W	70.40'
C8	39.49'	25.00'	90°29'51"	N 44°55'07" W	35.51'
C9	78.97'	50.00'	90°29'51"	N 44°55'07" W	71.02'

- LEGEND**
- SET 1/2" REBAR WITH CA 5975 CAP
 - CALCULATED POINT NOT SET
 - FOUND STEEL ROD (AS NOTED)
 - FOUND MAG NAIL
 - UTILITY EASEMENT LINE (AS NOTED)
 - BUILDING SET BACK LINE (AS NOTED)
 - BUILDING SETBACK/UTILITY EASEMENT (AS NOTED)
 - EXISTING EASEMENT (AS NOTED)

LICENSED LAND SURVEYOR'S CERTIFICATE

I, Robby L. Johnson, a Licensed Land Surveyor in the State of Oklahoma, certify that this plat represents a survey made under my supervision of the foregoing described property designated **LINDEN WOOD - PHASE 4**, and that the above foregoing plat represents said lots surveyed and that iron pins have been placed on all lot corners.

Witness my hand and seal this ___ day of ___, 2020.

ROBBY L. JOHNSON, RPLS 1539
CA#5975 - Expires 6/30/2021

COUNTY OF BRYAN
STATE OF OKLAHOMA

Before me, the undersigned, a notary public in and for said County and State on this ___ day of ___, 2020, personally appeared ROBBY L. JOHNSON, R.P.L.S. #1539 to me known to be the identical person who executed the within and foregoing instrument and acknowledge to me that HE executed the same as HIS free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

MY COMMISSION EXPIRES: ___ Notary Public

DURANT CITY PLANNING
COMMISSION APPROVAL

I, ___ Chairman of the Planning and Zoning Commission for the City of Durant, Bryan County, Oklahoma, hereby certify that said Commission duly approved the Plat of **LINDEN WOOD - PHASE 4** to the City of Durant, Bryan County, Oklahoma on this ___ day of ___, 2020.

Chairman Secretary

COUNTY TREASURER'S CERTIFICATE

I, ___ the duly elected and qualified County Treasurer of Bryan County, Oklahoma, do hereby certify that there are no unpaid taxes up to and including the year 20___, on the above described property known as **LINDEN WOOD - PHASE 4** being a part of the SW/4 of SECTION 21, T6S, R9E, Bryan County, State of Oklahoma and the required security has been deposited in the Office of the County Treasurer guaranteeing payment of the current years taxes.

Witness my hand this ___ day of ___, 2020 A.D.

County Treasurer

COUNTY OF BRYAN
STATE OF OKLAHOMA

Before me, the undersigned, a notary public in and for said County and State on this ___ day of ___, 2020, personally appeared ___ to me known to be the identical person who executed the within and foregoing instrument and acknowledge to me that HE/SHE executed the same as HIS/HER free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

MY COMMISSION EXPIRES: ___ Notary Public

ACCEPTANCE OF DEDICATION
BY CITY COUNCIL

Let it be resolved by the City Council of the City of Durant, Bryan County, Oklahoma, that the streets, avenues, and easements for public use on this PLAT of **LINDEN WOOD - PHASE 4** to the City of Durant, Bryan County, Oklahoma are hereby accepted. Adopted by the City Council of the City of Durant, Bryan County, Oklahoma on this ___ day of ___, 2020.

Signed: Mayor City Clerk

CERTIFICATE FOR CITY
OF DURANT ACCEPTANCE
COUNTY OF BRYAN

I, ___ City Clerk of the City of Durant, Bryan County, Oklahoma, do hereby verify that I have examined the records of said city and find that all payments of unmaturing installments upon special assessments have been paid in full and there are no special assessment procedures now pending against the land shown on the annexed plat of **LINDEN WOOD - PHASE 4** to the City of Durant, Bryan County, Oklahoma on this ___ day of ___, 2020.

Signed: City Clerk

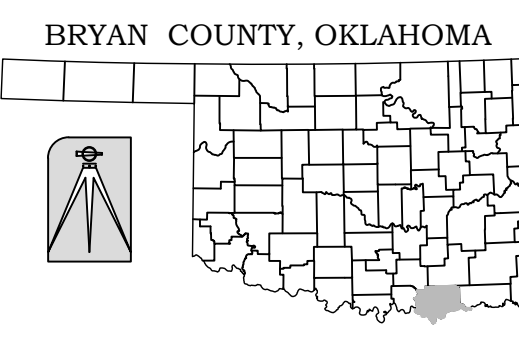
COUNTY CLERK CERTIFICATE
STATE OF OKLAHOMA
COUNTY OF BRYAN

This instrument was filed on the ___ day of ___, 2020 A.D. at ___ and duly recorded in Book ___ Page ___.

County Clerk

FLOOD ZONE

SUBJECT PROPERTY DOES LIE WITHIN DESIGNATED FLOOD ZONE (X) AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN BY F.E.M.A. MAP NO. 48015C0186 MAP REVISED JUNE 2, 2011. LOW LYING AND CREEK AREAS MAY BE SUBJECT TO FLOODING.



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SCALE:	SHEET	DATE
1in = 40ft	1 of 1	10/16/2020

**LINDEN WOOD PHASE 4
DURANT, BRYAN COUNTY**

Bennett-Morris And Associates
Land Surveying, P.C.
IDA, OKLAHOMA

