

SUBDIVISION REGULATIONS FOR CREEK COUNTY, OKLAHOMA



Adopted by Resolution No. 2004 - 4 on January 12, 2004



Prepared by INCOG

SUBDIVISION REGULATIONS CREEK COUNTY, OKLAHOMA

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Effective Date: January 12, 2004

CREEK COUNTY BOARD OF COUNTY COMMISSIONERS:

Dana Hudgins, District 1, Vice-Chair
Johnny Burke, District 2, Chair
Roger Boomer, District 3
Erik Enyart, INCOG/Creek County Planner

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Dana Hudgins, District 1, Creek County	

SPECIAL THANKS TO THE FOLLOWING SMAPC WORKSESSION MEETING ATTENDEES:

Alvin R. Penn, P.L.S., P.E.	Bob Nale
Allan Mark Penn, P.L.S.	Ronald Tracy, P.E.
Lense Ramey, Jr.	Gib Gilliland
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PREPARED BY:



201 West 5th Street, Suite 600
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RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
CREEK COUNTY, OKLAHOMA

2004 - 4

A RESOLUTION AMENDING AND UPDATING THE
SUBDIVISION REGULATIONS OF CREEK COUNTY, OKLAHOMA

WHEREAS, on October 12, 1965, the Sapulpa Metropolitan Area Planning Commission (SMAPC) did hold a public hearing and submit to the Creek County Board of County Commissioners for approval and adoption Subdivision Regulations for Creek County, Oklahoma; and

WHEREAS, on October 25, 1965, said Creek County Board of Commissioners did approve said Subdivision Regulations for Creek County, Oklahoma; and

WHEREAS, at a regular meeting of the SMAPC held December 16, 2003, the SMAPC, acting upon the direction of the Creek County Board of Commissioners, held a properly advertised final public hearing and voted to recommend approval of the proposed amendments and updates to the Creek County, Oklahoma, Subdivision Regulations; and

WHEREAS, in preparation for said hearing, public meetings were held to seek and receive input and comment on the proposed Subdivision Regulations; and

WHEREAS, pursuant to O.S. 19, Section 866 and subsequent amendments thereto, the SMAPC certified to the Creek County Board of Commissioners, Oklahoma, the approval of said amendments and updates all according to law; and

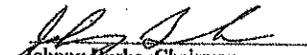
WHEREAS, pursuant to the above noted Section the SMAPC is authorized to prepare, adopt and amend, as needed, in whole or in part, the above noted Subdivision Regulations to guide the subdivision of land in Creek County, Oklahoma; and

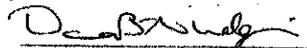
WHEREAS, a further Public Hearing was held on the 29th day of December 2003 by the Creek County Board of Commissioners, considering the action of the SMAPC and after due study and deliberation, this Commission deems it advisable and in keeping with the purposes as set forth in O.S. 19, Section 866 and subsequent amendments thereto to modify its previously adopted Creek County, Oklahoma, Subdivision Regulations as indicated by the attached Exhibit A, made a part of this resolution, with a copy to be duly filed with the Creek County Clerk.

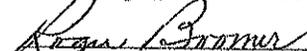
NOW THEREFORE, be it resolved that the Subdivision Regulations as approved by the SMAPC on December 16, 2003 and further APPROVED by the Creek County Board of County Commissioners on January 12, 2004 and as described in the attached Exhibit A become and are hereby adopted as the official Subdivision Regulations of Creek County, Oklahoma, replacing all such Subdivision Regulations previously in effect. That these Subdivision Regulations shall be in effect immediately upon the date of adoption by the Creek County Board of Commissioners, except that for any application for the subdivision of land duly filed with the SMAPC which has received approval as a preliminary plat shall be allowed to proceed to completion under the previous Subdivision Regulations unless the applicant elects to proceed under the Subdivision Regulations as per attached Exhibit A.

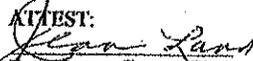
APPROVED AND ADOPTED this 12th day of January 2004.

BOARD OF COUNTY COMMISSIONERS
CREEK COUNTY, OKLAHOMA

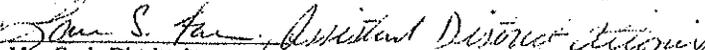

Johnny Burke, Chairman


Dana B. Hudgins, Vice-Chairman


Roger Boomer, Member

ATTEST:

Betty Rentz, County Clerk

APPROVED TO FORM AND LEGALITY BY DISTRICT ATTORNEY


Max Cook, District Attorney

**CREEK COUNTY, OKLAHOMA
SUBDIVISION REGULATIONS**

AMENDMENTS PAGE

SMAPC	COUNTY COMMISSION	EFFECTIVE DATE	RESOLUTION	ACTION/DESCRIPTION
11-18-03	01-12-04	01-12-04	2004-4	Adopted updated Subdivision Regulations with effective date of 01-12-04 except that the approved preliminary plats shall be permitted to proceed to final plat under the previous Subdivision Regulations at the option of the applicant.
06-27-06	July 03, 2006	July 03, 2006	2006-49	Adding Section 6.6 Exemptions from the Lot-Split Requirement.

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SECTION 1. GENERAL PROVISIONS

1.1 TITLE.

These Regulations shall hereafter be known, cited and referred to as the Subdivision Regulations of Creek County, Oklahoma (hereafter referred to as "Subdivision Regulations" or "Regulations").

1.2 AUTHORITY.

1. The Sapulpa Metropolitan Area Planning Commission (hereafter referred to as "Planning Commission") pursuant to the powers and jurisdiction vested through O.S. Title 19, Section 866 and subsequent amendments thereto hereby exercises the power and authority to review, approve and disapprove plats and plans for the subdivision of land.
2. Any sale or contract of sale or agreement to purchase any lot or division of land, as defined in these Regulations, either by lot description or by metes and bounds, including contracts for deed, shall constitute a subdivision of land, and no such transaction shall be undertaken or instrument shall be recorded until or unless approved as required by the SMAPC, the Creek County Board of Commissioners by Oklahoma State Statutes, and as follows:
 - a. Such written approval shall be required by the SMAPC by its endorsement on the instrument of transfer.
 - b. If the owner or agent of the owner of any land transfers, sells, agrees to sell, or negotiates to sell any tract of land of less than 10.00 acres where the tract was not shown of record in the office of the County Clerk as separately owned and not located within a Major Subdivision approved according to law and filed in the Office of the County Clerk prior to the affective date of these Regulations, shall not be recorded, and the deed or other instrument shall be void and impart no notice.

1.3 JURISDICTION.

These Subdivision Regulations shall apply to all subdivisions of land located within the unincorporated areas of Creek County and in particular, the following:

1. The division of land into two (2) or more tracts, lots, sites, or parcels, any part of which, when subdivided, shall contain less than ten (10) acres in area; or
2. The division of land, previously subdivided or platted, into tracts, lots, sites or parcels of less than ten (10) acres in area; or
3. The dedication, vacation or reservation of any public or private easement through any tract of land regardless of the area involved, including those for use by public and private utility companies; or
4. The dedication or vacation of any street or alley through any tract of land regardless of the area involved.

1.4 PURPOSES.

These Regulations are adopted for the following purposes:

1. To provide measures and standards to facilitate the sustainable physical development of the unincorporated areas of Creek County in accordance with the adopted Comprehensive Plan, adopted Major Street Plan, and the adopted Engineering Design Criteria, and Standards and Specifications for Construction; and all related regulations and requirements of Creek County.
2. To harmoniously relate the development of the various tracts of land to the existing development and facilitate the future development of adjoining tracts;
3. To provide the most beneficial relationship between the uses of land, buildings and the circulation of traffic throughout the County, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines;
4. To secure and provide for the proper arrangement of streets or other highways in relation to the existing or planned streets or highways or to the Comprehensive Plan or plans of the area; for adequate and convenient open spaces for traffic, utilities, access for emergency response and public safety purposes, parking lots, parks, playgrounds, light and air; and for the avoidance of congestion of population;
5. To establish a subdivision process that is expeditious, efficient and as cost effective as possible, while providing for public health, safety, and general welfare;
6. To provide that those costs of improvements which primarily benefit the tract of land being developed be borne by the owners or developers of the tract, and that those costs of improvements which primarily benefit the County as a whole be borne by the County; and
7. To establish adequate and accurate records of land subdivision.

1.5 CONFLICT AND SEVERABILITY.

1. Conflict with Public and Private Provisions.
 - a. Public Provisions. All regulations, codes, orders, resolutions or parts thereof in conflict with these Subdivision Regulations are hereby repealed to the extent necessary to give these Regulations full force and effect.
 - b. Private Provisions. These Regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these Regulations are more restrictive or impose higher standards or regulations than such

easement, covenant, or other private agreement or restriction, the requirements of these Regulations shall govern.

2. Severability. If any part or provision of these Regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these Regulations or the application thereof to other persons or circumstances. The Creek County Board of County Commissioners hereby declares that it would have enacted the remainder of these Regulations even without any such part, provision, or application.

1.6 SAVING PROVISION.

These Regulations shall not be construed as abating any action now pending under, or by virtue of prior existing Subdivision Regulations, or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the County under any section or provision existing at the time of adoption of these Regulations, or as vacating or annulling any rights obtained by any person, firm or corporation by lawful action of the County, except as shall be expressly provided for in these Regulations.

1.7 AMENDMENTS.

For the purpose of providing for the public health, safety and general welfare, the Planning Commission, with final approval from the Creek County Board of County Commissioners, may from time to time amend the provisions imposed by these Subdivision Regulations. The Planning Commission, in the manner prescribed by law, shall hold public hearings on all proposed amendments.

1.8 CONDITIONS OF APPROVAL.

Regulations of the subdivision of land and the attachment of reasonable conditions to land subdivision are an exercise of valid police power delegated by the State of Oklahoma to Creek County. The subdivider has the duty of compliance with reasonable conditions laid down by the Planning Commission for design, dedication, improvement and restrictive use of the land so as to conform the physical and economic development of the County to the safety and general welfare of the future owners of realty in the subdivision and of the County at large.

1.9 WAIVER OF PLATTING REQUIREMENT.

The Creek County Board of County Commissioners, upon a recommendation of the Planning Commission, may waive the platting requirement upon a determination that the purposes and intent of these Regulations have been met by previous platting have or will be achieved by other actions, or could not be achieved by a plat or replat.

1.10 MODIFICATIONS.

1. General. The Planning Commission, where unusual topographical or other exceptional conditions require the same, and when the purpose of these Regulations may be served to the same extent may modify these Regulations by an alternative proposal. The Planning Commission shall not approve a modification where the granting of the modification will be detrimental to the public safety, health, or welfare, or be injurious to other property or improvements, or where the same will impair the spirit, purposes, and intent of the Zoning Code of Creek County or the Comprehensive Plan. Any such modification is subject to final approval by the Creek County Board of County Commissioners. Only the Board of Adjustment may grant a variance of zoning regulations.
2. Conditions. In approving modifications, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these Regulations.
3. Procedures. A request for any such modification shall be submitted in writing by the subdivider at the time when the sketch plat, preliminary plat, or lot-split is filed for the consideration of the Planning Commission. The request shall state fully the grounds for the application and all of the facts relied upon by the subdivider.
4. Approval. Such modifications may be granted only by the affirmative vote of three-fourths (3/4) of the total number of members of the Planning Commission subject to the approval of the plat and acceptance of the dedications shown thereon by the Creek County Board of County Commissioners.
5. Exception. The Creek County Planner may waive the requirement for a sketch plat or may allow the developer to submit a preliminary and final plat simultaneously where the nature of the development (e.g., one lot one block, etc.) indicates that such an exception would not otherwise be contrary to the intent of these Regulations; however, all such exceptions are subject to the final approval of the Planning Commission.

1.11 DEFINITION AND TENSE.

1. Definition. For the purpose of these Regulations, certain terms and words are to be used and interpreted as defined in Section 8, Definitions of these Regulations.
2. Tense. Words used in the present tense shall include the future tense, words in the singular number shall include the plural and words in the plural number shall include the singular, except where the natural construction of the writing indicates otherwise. The word "should" is directory and not mandatory. The word "shall" is mandatory and directory.

1.12 MINIMUM STANDARDS AND DESIGN CRITERIA.

1. In enacting various provisions of these Regulations, and in promulgating any rules or regulations which may be made necessary in order to carry out

the purpose of these Regulations, the Creek County Board of County Commissioners is setting forth certain minimum standards for construction which may not be violated in the construction of any public improvements. By setting forth these minimum standards, neither the County as an entity nor any of its staff is making any representations, warranties or assurances that these minimum designs are sufficient.

2. Any person owning such land or developing land within the unincorporated areas of Creek County must rely upon their own design professional to design facilities, whether public or private, which are capable of providing the services required of such public or private facilities, and which are adequate under all reasonably foreseeable circumstances for the purposes intended.
3. When the County Staff examines proposals or construction plans for conformity with these Regulations, such review is being performed to determine whether or not the minimum standards will be met. The approval of such plans does not represent, warrant, or assure any person that the designs are adequate for the purposes intended. Neither the enactment of these Regulations nor review of improvements to be constructed or proposed under these Regulations shall in any manner create liability for Creek County.

1.13 PREVIOUSLY PLATTED SUBDIVISIONS.

With regard to any subdivision which has received final plat approval and which has not yet installed all of the required subdivision improvements, and unless otherwise directed by the Creek County Board of Commissioners, that subdivision shall be required to install such improvements in accordance with the following:

1. The Subdivision Regulations, Engineering Design Criteria, and Construction Standards and Specifications in effect at the time of final plat approval; or
2. In compliance with the current Subdivision Regulations, Engineering Design Criteria, and Construction Standards and Specifications.

1.14 PROPOSED SUBDIVISIONS WITHIN AN ANNEXATION FENCELINE

In those cases where a proposed subdivision is included within the annexation fenceline of an incorporated city or town and upon written agreement between the Creek County Board of County Commissioners and the governing body of said city or town, the proposed subdivision shall be reviewed and approved by the Creek County Planner and Creek County Engineer using the subdivision regulations, engineering design criteria, and construction standards and specifications of said city or town. Further, said subdivision shall be constructed and inspected during construction by said city or town officials to ensure compliance with the applicable regulations.

1.15 PENALTY

1. Any person, firm or corporation, who shall violate any of the provisions of these Regulations, or shall fail to comply therewith, shall be deemed guilty of an offense and shall be liable for a fine as provided herein. Each day of such violation shall constitute a separate offense. In addition the remedies provided herein, the County may institute any other action or proceeding to enforce these Regulations.
2. No construction shall commence or permit issued for any new structure or change, improvement or alteration of any existing structure on any tract of land which does not comply with all of the provisions of these Regulations.
3. Whoever, being the owner or agent of the owner of any land within the area, transfers, or sells or agrees to sell, or negotiates to sell any land by reference to or exhibition thereof, or by other use of a plat of a subdivision or a contract for deed or other instrument before such plat or deed or instrument has been approved by Creek County and filed of record in the office of the County Clerk, or whoever, being the owner or agent of the owner of any parcel of ground, transfers, or sells or agrees to sell, or negotiates to sell any tract of land of less than ten (10) acres where such tract was not shown of record in the office of the County Clerk as separately owned at the effective date of the Regulations herein provided and not located within a subdivision approved according to law and filed of record in the office of the County Clerk, or if so located, not comprising at least one (1) entire lot as recorded, without first obtaining the written approval of the Planning Commission, including approval by the Creek County Board of County Commissioners, as applicable, by its endorsement on the instrument of transfer, or contract of sale or other agreement to transfer, shall be subject to the penalties provided below and such transaction shall be unlawful and shall not be recorded by the County Clerk.
4. A violation of these Regulations shall be deemed a misdemeanor and shall be punishable by fine. Any person, firm or corporation who violates or refuses to comply with any of the provisions of these Regulations shall be fined not less than five (\$5.00) nor more than twenty dollars (\$20.00) including costs for each offense. Upon conviction, each day a violation continues to exist shall constitute a separate offense.

1.16 FILING FEES

1. In accordance with the Schedule of Fees adopted by the Creek County Board of County Commissioners, there shall be paid a filing fee for each sketch plat, preliminary plat and for each final plat. A filing fee shall also be paid for each sketch plat, preliminary plat and final plat of a Planned Unit Development. There shall also be a filing fee for minor subdivisions and lot-splits. All fees for subdivisions located within Creek County shall be paid to the Creek County Planner at the time of filing of a particular application.

2. Where only a portion of an approved Preliminary Plat is submitted for final plat approval, a final plat of the remaining area may be submitted at any time within two (2) years of the preliminary approval without payment of an additional Preliminary Plat filing fee by the subdivider, providing the final plat for the additional area conforms substantially with the approved preliminary plat.
3. Further, there shall be an engineering review fee paid at the time of submission of the application for a Preliminary Plat to Creek County, Oklahoma at which time all Preliminary Construction Plans and Deed of Dedications and Restrictive Covenants shall be submitted for review and approval. Any fee above the base engineering review fee shall be determined by the Creek County Board of County Commissioners based on the actual cost of engineering review necessary to determine if the proposed Preliminary and Final Construction Plans meet minimum Creek County regulations. Any such additional fee above the base fee shall be due and paid prior to approval of the Final Plat.

1.17 TYPES OF SUBDIVISIONS: MAJOR, MINOR AND LOT-SPLIT

The following types of subdivisions are regulated by these Regulations:

1. Major Subdivision

- a. The division of land into five (5) or more tracts or lots, any portion of which when divided comprise less than 10.00 acres.
- b. Dedication of a road, highway or street through a tract of land regardless of area.
- c. Re-subdivisions of land hereto divided or platted into lots or parcels.
- d. Rezoning of a parcel or tract to a greater density or intensity.
- e. Major subdivisions require a pre-application conference, sketch plat, preliminary plat, final plat, and all related plans and information as required by these Regulations.
- f. Certified Abstractor's List of abutting property owners as defined herein with their current addresses outward from each property line of the property to be subdivided.

2. Minor Subdivision

- a Any subdivision creating or causing to be created not more than four (4) lots, any portion of which has an area of less than ten (10) acres that does not have frontage on an existing street, requires extension of a new street or road, requires the extension of public facilities, or requires the creation of any new public improvements. Minor Subdivisions could adversely affect the remainder of the parcel or adjoining property and

therefore shall not be in conflict with any provision or portion of the Comprehensive Plan, Major Street Plan, Zoning Code, or these Subdivision Regulations.

- b. A Minor Subdivision of land into tracts or lots is considered to be a less intensive form of subdivision, which may or may not require rezoning. However, minor subdivisions are subject to the further procedural and design requirements of these Regulations.
- c. General Requirements for a Minor Subdivision.
 - (1) The subdivider shall have prepared a drawing for discussion with the County Planner prior to preparation of any required Survey Plan (Survey).
 - (2) Every Minor Subdivision of land, any portion of which is less than 10.00 acres and containing not more than four (4) tracts or lots within the unincorporated areas of the County shall have prepared and submitted to the SMAPC for approval or disapproval a Certified Survey.
 - (3) Before approving any Survey of a proposed Minor Subdivision, the SMAPC must find that the land covered by the proposed Minor Subdivision is suitable both for development and for the type of development proposed. Further, it shall be determined that said land can be safely used for building purposes without undue danger from flood or from any other threat or menace to the public health, safety and general welfare.
 - (4) Prior to approval of a Minor Subdivision the SMAPC shall determine that said land can be served economically with the necessary public or private facilities.
 - (5) Review and comment from any affected municipality is also required by the SMAPC for said development approval in the interest of the public health, safety and general welfare.
- d. Application Requirements for Minor Subdivisions.

A complete application is required prior to submission of an application for a Minor Subdivision, including the Certified Survey, and the following additional information:

- (1) An application form signed by the landowner of record or written authorization from said owner.
- (2) Application filing fee.
- (3) Evidence of compliance with the County requirements for public facilities.
- (4) Evidence of compliance with the County requirements for Flood Hazard Prevention.

- (5) Four (4) original (fax not acceptable) copies of the Survey incorporating items agreed upon during preceding conferences with the County Planning Staff. Such Survey must be filed with the application not less than 45 days before the meeting of the SMAPC if the Survey is to be acted upon at such meeting.
 - (6) In areas where septic tanks or other private on-site disposal systems are to be used, a soil survey, percolation test or such other test is required to determine the suitability of the soil for such systems, and shall be made by a Professional Engineer or other agent as approved by the ODEQ in accordance with the standards required by the ODEQ. Two (2) copies of the engineer's report shall be filed with the Creek County Health Department and one copy shall be submitted with the proposed Survey of the Minor Subdivision.
- e. Minor Subdivision Survey Plan (Survey) Requirements
- (1) The maximum density for a Minor Subdivision of land shall not exceed the Bulk and Area allowances of the Zoning Code.
 - (2) The subdivider or his engineer shall prepare a preliminary survey sketch for discussion with the County Planner prior to preparation of a Survey.
 - (3) A legible, original stamped Survey (fax copies are not acceptable) shall be drawn to a scale of not less than 100 feet to the inch on three (3) sheets having a minimum dimension of 11" X 17" and one sheet having a dimension of 8.5" X 11" and shall show:
 - (a) The location of the Minor Subdivision with reference to section lines, and other existing features within the area to be subdivided and the location of dedicated streets at the points where they abut and are immediately adjacent.
 - (b) A Surveyor's Certificate must be affixed to the face of the Survey.
 - (c) A copy of the deed.
 - (d) The existing and/or proposed location and width of driveways, setback lines, easements, fences, existing buildings, wells, septic systems or other on-site disposal systems, and lot dimensions. If street improvements are required, excluding driveway approaches, the application shall not be eligible for consideration under a Minor Subdivision.
 - (e) Existing sanitary and storm sewers, water drains, oil and gas lines, injection wells, culverts and other underground structures within the tract or immediately adjacent to the tract.

- (f) The title under which the proposed Minor Subdivision is to be recorded and the name of the subdivider, engineer, landscape architect, or surveyor who prepared the Survey Plan.
 - (g) North Point, scale and date.
 - (h) One (1) copy of signed statements regarding the proposed use of the land and the proposed improvements and restrictions shall be included with the Survey.
 - (i) Topographical layout of the land represented a ten (10) foot contour intervals.
 - (j) One inch border at the top, bottom, and right and left sides.
 - (k) Sketches of legal description or other such information do not meet the minimum requirements for a Survey.
- f. The finished Survey Plan must include the following information:
- (1) The boundary lines of the areas being subdivided with accurate distances and bearings.
 - (2) The lines of all proposed driveways showing width of the driveway and drainage flow.
 - (3) The accurate outline and legal description of any property offered for dedication for public use.
 - (4) The lines of all adjoining lands and the right-of-way lines of adjacent streets.
 - (5) All lot lines with dimensions (not ditto marks) and bearings.
 - (6) Building lines and easements for rights-of-way provided for public use, services or utilities, and the edge of the paving or improved surface of an abutting roadway.
 - (7) The Finding Location and the Legal Description of the property.
 - (8) All drainage patterns, i.e. flow-line elevations, direction of flow, and top-of-ditch bank lines.
 - (9) The dimensioned location of all existing buildings and fences.
 - (10) A title block that includes the name of the County and State, and location of the Survey in regard to Section, Township and Range.
 - (11) Building lines shall be shown on all Survey Plans. On any lot abutting a section line or arterial roadway, the building lines shall be established as designated in the Zoning Code, Subdivision Regulations and the Major Street and Highway Plan.

g. The following certificates are required on all Surveys:

- (1) Owner's Certificate and Dedication.
- (2) Surveyor's Certificate.
- (3) Certificate of SMAPC approval.
- (4) Certificate that the soil is sufficiently porous to make septic tanks or other on-site disposal systems practical for each lot offered for sale when septic tanks or similar private systems are contemplated for use.
- (5) Mortgage Lien Release of Public Dedication(s).

h. Minor Subdivision Design Requirements

- (1) Whenever a parcel is divided into lots of 2.5 acres or more and there are indications that such lots may eventually be re-subdivided, consideration must be given to the street and lot arrangement in the Minor Subdivision so that additional streets can be opened. Such future subdivisions should therefore be considered a Major Subdivision and conform to the requirements for a Major Subdivision and the Subdivision Regulations. A subdivision of more than four (4) lots constitutes a Major Subdivision and must follow and conform to the Subdivision Regulations.
- (2) Any and all Minor Subdivisions must conform to the existing zoning at the time of the subdivision. All easement and frontage requirements shall be those required by the current zoning at the time of the submission of the Survey Plan. Any change of zoning requires that the Minor Subdivision conform to the platting requirements of the Subdivision Regulations and the Change in Zoning Procedures of the Zoning Code.
- (3) All lots created shall have direct frontage and direct access to a County maintained road. Such access shall be only from roads built to County Standards prior to approval of the Survey Plan. All driveways that access County Section Line or Arterial Roads shall be paved and improved in accordance with the County regulations. No lot contained within a Minor Subdivision shall be landlocked with no direct access to a County Maintained Road and all such lots shall have access from a County maintained road.
- (4) Any Minor Subdivision shall conform to the general character of existing land use of surrounding properties and acreage. A radical departure from existing land use, densities or general aesthetic character, shall comply with the requirements of the Subdivision Regulations for a Major Subdivision and the Comprehensive Plan.

- i. SMAPC action on an application for approval of a Minor Subdivision shall include the following:
 - (1) The SMAPC shall approve the application. Application for Minor Subdivisions shall also require review and comment by the Technical Advisory Committee (TAC).
 - (2) In the event that the application is disapproved or is approved conditionally, the reason(s) for such action shall be included in the minutes of the SMAPC meeting and stated in a memorandum sent to the applicant. Such memorandum shall refer specifically to the provisions of the Minor Subdivision regulations with which the application or Survey does not conform as submitted.
 - (3) In conditionally approving a Minor Subdivision, the SMAPC may require the subdivider to submit a revised Survey.
 - (4) The SMAPC shall act upon the Survey within 45 days after it has been submitted, as long as the appropriate deadlines have been met and the required information has been requested, unless stipulation for additional time is required. The grounds for refusal or approval of any Minor Subdivision, including a citation of, or reference to the rule or regulation violated by the application shall be stated in the minutes of the SMAPC. The approval shall be shown on the Survey with the date of such approval over the signature of the SMAPC Chairperson, Secretary or County Planner.
 - (5) One copy of the application and Survey Plan shall be retained in the permanent file of the SMAPC.

3. Lot -Split

- a. A Lot-Split is any subdivision containing not more than two (2) lots, any portion of which has an area of less than ten (10) acres that has frontage on a County maintained road, not involving any new street or road, or the extension of public facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Major Street Plan, Zoning Code, or these Subdivision Regulations.
- b. A Lot-Split is not considered to be an appropriate method of subdividing or developing a large area and tracts of 160 acres or less are permitted only one lot split. However, a Lot Split is an effective measure for single lot subdivision for the purpose of resale, or conveyance.
- c. All Lot-Splits shall conform to Section 6 of these Regulations, and all other applicable codes and regulations of Creek County.

SECTION 2. APPLICATION PROCESS

2.1 PREAPPLICATION CONFERENCE.

The process for review and submission of a plat is shown in Illustration 1, Development Review and Processing that is included following Section 8 of these Regulations. Application and Checklists are shown in Appendix A.

1. Prior to submission of an application for any form of subdivision, the subdivider shall participate in a preapplication conference.
2. The purpose of the preapplication conference shall be to gather information and data necessary for the expeditious processing of the proposed subdivision from the perspective of both the County and the subdivider. Subsequent to the preapplication conference and for phased projects (except as otherwise provided for by these Regulations) a sketch plat and preliminary plat is required for the whole project. Only the final plat is required for each phase prior to development.
3. The following persons or their designated representative shall be present and participate in the preapplication conference:
 - a. District County Commissioner;
 - b. County Department representative;
 - c. County Planner;
 - d. Subdivider or developer;
 - e. Subdivider's engineer and/or surveyor;
 - f. Such other persons as indicated to be necessary in order to fully evaluate and provide useful and necessary information and direction to the County and subdivider.
4. The following types of information shall be available and established at or subsequent to the pre-application conference:
 - a. The Comprehensive Plan, if available for the subject tract;
 - b. Existing zoning or such other related information as would be necessary to support the proposed development;
 - c. The availability of utilities and responsibility and policies for extension of such utilities if and as necessary;
 - d. The Major Street Plan and street classifications within and from the proposed development to abutting land;
 - e. Topography, slopes, drainage, and such other information as might be necessary to evaluate proposed street patterns and layouts;
 - f. A property boundary survey showing the exact legal description and location of any and all existing structures, septic fields, easements, oil or gas wells, etc. with dimensions by the surveyor.

- g. Preliminary investigations of soils, oil or gas pipelines or wells, or other such surface (such as large water bodies) or subsurface conditions as might bear upon the feasibility of the proposed development; and
- h. Such other information as might be provided by the County or developer on an initial basis to assess the feasibility of the proposed development prior to proceeding to a sketch plat.

2.2 SKETCH PLAT.

1. Requirements. Before preparing the preliminary plat, or as a requirement for submitting a Planned Unit Development (PUD), unless otherwise provided for by these Regulations, the subdivider may be required to prepare a sketch plat (which in the case of a PUD serves as the PUD Development Plan) after a preapplication conference. During the sketch plat review process the subdivider will be advised of the following:
 - a. The procedure for approval of a subdivision plat and/or PUD;
 - b. Provisions of the Comprehensive Plan, Major Street Plan, and Zoning Code;
 - c. Requirements as to general layout of streets, reserve areas, improvements, drainage, water, sewerage, floodplain, fire protection and similar matters;
 - d. Availability of existing services and utilities and requirements and policies for extension; and
 - e. To discuss the proposed subdivision with those officials and departments which must eventually approve those particular aspects of the subdivision plat coming within their jurisdiction who were not present at the preapplication conference.
2. Procedure.
 - a. The TAC shall review the sketch plat, and make a recommendation to the Planning Staff.
 - b. A minimum of five (5) full size copies and 35 sets of 11" x 17" copies of the plat drawing (all folded to 8 ½ X 11") of the sketch plat shall be submitted to the Planning Staff a minimum of 15 working days prior to the meeting of the Technical Advisory Committee (TAC).
 - c. The Planning Staff shall transmit the sketch plat for review to appropriate officials or agencies and notify any city or town within three (3) miles of the proposed subdivision.
 - d. The Planning Staff shall review the sketch plat and the recommendation of the TAC.

- e. In those cases where the TAC, Planning Staff and subdivider concur in the requirements for approval of the sketch plat, Planning Commission review is not required. If the subdivider and Planning Staff disagree on said requirements for approval, the subdivider may appeal to the Planning Commission within ten (10) days of the notice of disapproval from the Planning Staff.
- f. After review and discussion of the sketch plat, Planning Staff report, and TAC recommendation, the Planning Staff or the Planning Commission shall advise the subdivider of any specific changes or additions in the layout and the character and extent of required improvements and reservations, which will be necessary for approval.
- g. The Planning Staff or Planning Commission shall approve or disapprove, or conditionally approve the sketch plat after receiving the recommendation of the TAC.

2.3 TECHNICAL ADVISORY COMMITTEE.

1. General. There is hereby created a subdivision Technical Advisory Committee (TAC). The TAC shall be responsible for coordinating review and comments, and making recommendations to the Creek County Planning Staff and Planning Commission on all subdivision plats and lot-splits as provided in these Regulations.
2. Committee Membership. The TAC shall be composed of representatives from departments, agencies, companies and offices involved in the subdivision process including, but not limited to Planning, Engineering, Water and Sewer, Law Enforcement, Fire, Oklahoma Department of Environmental Quality (DEQ), School Boards, District Attorney, Federal Housing Administration, Utility Companies, and the Natural Resource Conservation Service. The Creek County Planner shall serve as the recording secretary and facilitator of the TAC.
3. Meeting Dates. The TAC shall meet as needed. The meeting shall be posted as required by Oklahoma State Statutes and an agenda available in the offices of the Planning Department.
4. Recommendations to the Planning Commission. The TAC recommendations to the Planning Commission shall be submitted in written form by the Planning Staff to the Planning Commission and Creek County Board of County Commissioners.

2.4 PRELIMINARY PLAT AND PRELIMINARY CONSTRUCTION PLANS.

1. Application Procedure and Requirements. The subdivider shall submit a preliminary plat for approval. A minimum number of copies of said plat shall be submitted as follows:
 - a. Applications for preliminary plat approval will not be accepted unless accompanied by a certified list prepared by a licensed abstractor of all abutting property owners of record in the office of the County Clerk, five (5) full-size sets of the plat drawing, the preliminary construction plans and also the proposed deeds of dedication and restrictive covenants.
 - b. Include 35 copies of the plat drawing and deeds of dedication and restrictive covenants in an 11"x 17" format, and folded to 8 ½" X 11".
 - c. Be accompanied by an application and filing fee, review fee and any established by the Planning Commission;
 - d. Comply in all respects with the sketch plat as approved;
 - e. Be submitted to the Planning Staff at least 15 working days prior to the meeting of the TAC at which it will be considered; and
 - f. Comply in all respects with the requirements of these Subdivision Regulations; however, a preliminary plat not meeting all of these requirements may be submitted, provided, that the subdivider presents with the plat application a letter requesting specific waivers or modifications describing in detail the reasons therefore.
2. Review.
 - a. The Planning Staff shall:
 - (1) Distribute copies of the preliminary plat to appropriate officials, agencies, or departments, and notify any city or town within three (3) miles of the proposed subdivision;
 - (2) Send written notice of the application to all abutting property owners at least seven (7) days prior to the Planning Commission meeting;
 - (3) Field check the area being platted as needed;
 - (4) Review the preliminary plat for conformance with the adopted Comprehensive Plan, Zoning Code, Planned Unit Development (PUD) conditions, Board of Adjustment actions, and Subdivision Regulations, and County or other appropriate master plans for water, sewerage, streets and drainage; and
 - (5) Prepare written analyses and recommendations.

- b. Preliminary Construction Plans. The subdivider shall submit five (5) full-size sets of Preliminary Construction Plans folded to 8 ½" X 11" for proposed improvements at the time of application for approval of the preliminary plat to the Planning Staff for review by the following departments and/or agencies as applicable:
 - (1) All plans for drainage, storm sewers, streets, sidewalks and pedestrianways, and other public improvements must be reviewed and approved by the County Engineering Department.
 - (2) The appropriate Water and Sewer Department shall approve preliminary construction plans for sanitary sewer and water improvements in accordance with the applicable local, state or federal regulations. A report of such approval shall be submitted with the preliminary plat application and/or prior and approval of the preliminary plat.
 - (3) If the subdivision is to be served by private water or sewage disposal systems, the plans for such improvements shall be prepared in accordance with the adopted standards of the Oklahoma Department of Environmental Quality (DEQ) as referenced in Appendix B, as well as be reviewed and approved by DEQ and the County as required prior to installation.
 - c. Technical Advisory Committee (TAC). The TAC shall review the preliminary plat and make a recommendation to the Planning Commission, which shall include any recommendations or modifications of the Subdivision Regulations requested by the subdivider.
- 3. Hearing and Approval.**
- a. The Planning Commission shall hold a hearing on the preliminary plat.
 - b. After the Planning Commission has reviewed the preliminary plat and accompanying reports and recommendations from the Planning Staff, the TAC, and any other recommendations, testimony, and exhibits presented at the hearing, the subdivider shall be advised of any changes and/or additions required by the Planning Commission in order to comply with these Regulations.
 - c. The Planning Commission shall approve, conditionally approve, or disapprove the preliminary plat at such meeting or within thirty (30) days after the date of the regular meeting of the Commission at which the hearing on preliminary approval is closed, including any continued dates for such hearing.
 - d. If the preliminary plat is approved with a modification of any of the requirements of these Regulations, the reasons therefore shall be stated in written form and included in the minutes of the Planning Commission meeting.

- e. If the preliminary plat is approved with conditions, the Planning Commission may require the subdivider to submit a preliminary plat revised to show the required changes prior to submission of the final plat.
- f. If the preliminary plat is disapproved, the reasons for disapproval shall be stated in written form and included in the minutes of the Planning Commission.
- g. One (1) copy of the proposed preliminary plat as acted upon by the Planning Commission shall be retained in the office of the County Planner and one (1) copy shall be returned to the subdivider. Each copy shall include the date of approval, conditional approval, or disapproval and the reasons therefore.
- h. The approval of a preliminary plat shall be effective for a period of two (2) years from the date of approval by the Planning Commission unless otherwise approved by the Planning Commission for an extended period of time, at the end of which time approval of the final plat must have been obtained from the Planning Commission. Any preliminary plat not receiving final plat approval within two (2) years including any approved extensions by the Planning Commission shall be null and void.
- i. The preliminary plat shall conform to the adopted Subdivision Regulations at the time of approval of the preliminary plat unless modifications have been granted through the proper appeals process.
- j. Subsequent to preliminary approval and prior to preparation of and approval of the final plat, the subdivider shall prepare final construction plans to be reviewed and approved by the County.
- k. In accordance with Oklahoma State Statutes, any preliminary plat approval shall be revocable for cause by the Creek County Board of County Commissioners, upon review and recommendation by the Planning Commission, and such preliminary approval shall not be entered on the face of the plat.

2.5 FINAL CONSTRUCTION PLANS.

A subdivider shall submit final construction plans for proposed improvements with the application for final plat approval. Five (5) full-size sets of the Final construction plans folded to 8/12" X 11" shall be submitted to the Planning Department for review by the following:

1. The Engineering Department shall review and approve the final construction plans for streets, drainage and storm sewers, and sidewalks and pedestrianways in accordance with the adopted Engineering Standards.
2. The appropriate Water and Sewer Department and/or the appropriate water and sewer authority shall review and approve sanitary sewer and water construction plans in accordance with the applicable local, state or federal regulations.
3. If the subdivision is to be served by private water or sewage disposal systems the DEQ will review the system for conformance with adopted standards prior to issuance of Building Permits or the start of construction and only after the Planning Commission has approved the minimum bulk, area and access requirements for the lots to be created.
4. Final Plat Drawings and As Built Plans for public utilities and streets shall be submitted in an electronic file format as required by the County Engineer, the Creek County Assessor, and the Creek County Planner.

2.6 FINAL PLAT.

1. Application Procedure and Requirements. Following the approval of the preliminary plat, the subdivider shall submit to the Planning Department an application for approval of a final subdivision plat which shall:
 - a. Be made as prescribed in these Regulations;
 - b. Comply in all respects with the approved preliminary plat;
 - c. Be accompanied by a minimum of five (5) full-size sets of the final plat drawing and 35 copies of the plat drawing reduced to 11" x 17", all folded to 8 ½" X 11";
 - d. Be accompanied by the final plat filing fee as established by the Planning Commission and five (5) full-size sets of the stamped final construction plans;
 - e. Be accompanied by an electronic file of the final plat in accordance with the requirements of the Creek County Assessor's office;
 - f. Include a reproducible copy of the plat drawing showing the street addresses of each lot;
 - g. Release letters from the applicable utility companies;
 - h. Owner's papers and a certificate of non-development from the Oklahoma Corporation Commission;

- i. As Built drawings have been received for the required improvements, or the required surety has been submitted for acceptance by the Creek County Board of Commissioners; and
 - j. A TAC meeting may be required on the final plat and construction plans.
2. Review.
 - a. The Planning Staff and County Engineer shall review the final plat for compliance with the approved preliminary plat.
 - b. The Planning Staff shall make a recommendation for approval or denial of the final plat based on compliance with the following:
 - (1) All conditions, restrictions and requirements of these Regulations and with other applicable regulations or laws have been met;
 - (2) All conditions that have been attached to the approved preliminary plat have been complied with;
3. Review and Determination.
 - a. The final plat shall be submitted to the Planning Commission for final approval.
 - b. The Planning Commission shall at such meeting or within 30 days thereafter:
 - (1) Review the final plat and the report and recommendation of the Planning Staff; and
 - (2) Approve the plat if the conditions of preliminary plat approval have been met, or disapprove the plat if the conditions of preliminary plat approval have not been met, and state in detail in the record of its meeting any reasons for disapproval; or
 - (3) Take such other action as appropriate based on the reviews of the final plat drawings and submittal.
 - c. If the governing body of any city or town in the County protests against a subdivision plat of any land lying within three (3) miles of the limits of the incorporated area of such city or town, the plat shall be approved by not less than three-fourths (3/4) members of the Planning Commission present and voting with the reasons therefor stated in the minutes of the meeting.
 - d. Upon approval of the Final Plat by the Planning Commission and prior to filing of said Plat, the final plat must additionally be approved by the Creek County Board of County Commissioners.
4. Endorsement of Approval on Plat.
 - a. No final approval shall be endorsed on the final plat until all requirements of plat approval have been met and the As Built plans have been received or other requirements for submission and acceptance of sureties have been met as per Section 5.

- b. The parties responsible for endorsing approval on the plat shall be the County Engineer, or any other party authorized in writing to sign for said County Engineer, and the Chairperson or such other officer of the Planning Commission as authorized by these Regulations and in writing to sign for said Chairperson.
- c. When the subdivider has chosen to install improvements prior to the endorsement of the final plat, approval shall not be endorsed on the plat until after all conditions of County approval and Oklahoma State Law have been satisfied and all improvements satisfactorily completed and accepted by the County.
- d. Written evidence shall be submitted, including submission of As Built Plans as described in these Regulations, that the required improvements have been installed, and necessary dedications made, in a manner satisfactory to the County as shown by a sealed certificate signed by the Developer's Engineer.
- e. When the subdivider has chosen to guarantee construction of improvements by written agreement, approval shall not be endorsed on the plat until after the agreement has been executed and delivered to the Creek County Board of Commissioners, the agreement executed by the County, and all conditions of the approval pertaining to the final plat have been satisfied.
- f. Inspection of public improvements during and upon completion of construction shall be arranged by County for a third party engineer or other qualified inspector, approved by the County, paid for by the developer and working at the direction of the County.

5. Filing and Release of the Plat.

After the final plat has received the required endorsements and has been filed, the Planning Staff shall distribute copies to appropriate County officials, agencies or departments, and the remaining signed copies to the subdivider.

6. Recording of the Final Plat.

The final plat shall be filed in the office of the Creek County Clerk within one (1) year after approval by the Planning Commission and Creek County Board of Commissioners.

2.7 PLATTING REQUIRED FOR MANUFACTURED HOME PARKS.

1. Intent and Purpose.
 - a. Platting of manufactured home parks is required for the purposes of identifying spaces for rent, minimum space sizes and density, points of access and circulation patterns, regulating building setbacks, establishing easements, and to otherwise establish minimum development standards based on these Regulations, the Creek County Zoning Code, and other applicable codes and regulations.
 - b. Platting serves to identify and define the location of internal streets and parking areas, public and private utility easements, and to define reserve and common areas as would be used for recreation and storm water management purposes.
 - c. No individual spaces in such parks are permitted to be sold or otherwise conveyed on an individual basis.
2. Platting Process.
 - a. The procedures outlined in these Regulations, particularly such procedures requiring a pre-application conference, sketch plat, preliminary plat and final plat, planning and design requirements, and conceptual and final construction plans shall apply equally to the development of a manufactured home park.
 - b. The common areas and streets in platted manufactured home parks shall remain under private control and maintenance. Internal drives and streets are not subject to the minimum right-of-way requirements of these Regulations. However, all such streets shall be improved to a width and standard established by the County for drainage and paving to allow the safe and efficient passage of private vehicles as well as emergency and other public vehicles.

SECTION 3. SPECIFICATION FOR DOCUMENTS.

3.1 PLATTING ACCURACY.

Plats shall be prepared with the following accuracy:

1. Sketch plats shall be to a scale as specified in Section 3.2 and may be submitted in free-hand form.
2. Preliminary plats shall be drawn to scale as specified in Section 3.3 with such accuracy as to determine the location of lot, block, property and boundary lines, utility and other facilities to the nearest one-hundredth foot.
3. Final plats shall be prepared as specified in Section 3.6 with third-order survey accuracy for both vertical and horizontal survey datum and also include the following information:
 - a. Traverse data for the plat, including the coordinates of the boundary of the subdivision with the error of closure;
 - b. The computation of all distances, angles, and courses that are shown on the final plat unless measured in the field; and
 - c. All stakes, monuments or other evidence found on the ground in use to determine the boundaries of the plat.

3.2 SKETCH PLAT.

1. The subdivider is required to participate in a pre-application conference to submit a sketch plat, to receive comments and recommendations from the Planning Staff, the Technical Advisory Committee (TAC), and if needed from the Planning Commission to facilitate the processing of the preliminary plat as specified in Section 2.1.
2. The sketch plat may be a free-hand drawing. The preferred scale of a sketch plat is 1"=100' except where the tract size or amount of detail requires a larger scale, and may be superimposed over a topographic map or aerial photograph.
3. The sketch plat shall show the following:
 - a. The proposed layout of streets, lots, and public areas;
 - b. Boundary lines of the proposed subdivision;
 - c. Location and width of streets adjacent to the property;
 - d. Existing utilities on or adjacent to the property showing type, location, and size;
 - e. Existing watercourses, floodways, floodplains and storm drainage;
 - f. Ground elevations on the property on at least ten (10) foot contour intervals;
 - g. Existing buildings on the area to be platted;

- h. The location of every pipeline, injection, oil or gas well (either existing, active or inactive wells, plugged or unplugged abandoned wells) as shown by the records of the Oklahoma Corporation Commission and by such other records as may be on file with the Planning Department, or any planned future well sites if known; and
- i. For subdivisions with lots having an area of 2.5 acres or less on which a private sewage system is proposed, the lot area (in square feet and decimals to tenths of an acre) shall be shown on each lot.

3.3 PRELIMINARY PLAT.

1. The application for preliminary plat approval must include the names and addresses of the owner and developer, evidenced by a recorded deed, and the name and address of the Professional Land Surveyor preparing the plat. A preliminary plat must also be accompanied by the required filing fee, include the required number of copies, Preliminary Construction Plans, ODEQ documents, and include such other information as required by the County for submission of the preliminary plat.
2. The preliminary plat shall be prepared by a Professional Land Surveyor licensed to practice in the State of Oklahoma.
3. The preliminary plat shall be drawn to a scale of not more than 1" = 100'. However, if the property exceeds 100 acres, the scale may be 1" = 150' or 1" = 200'.
4. The preliminary plat shall show or be accompanied by the following:
 - a. Name of the subdivision prefaced by "Preliminary Plat";
 - b. The name and address of the owner or owners of the land to be subdivided, the name and address of the land surveyor and the names and addresses of the abutting property owners;
 - c. Date of preparation of the plat, north arrow and scale (written and graphic representation);
 - d. Key or location map showing major streets and the location of subdivisions within the mile section, and a summary of the total acres platted, the number of lots and blocks, the number of reserve areas and other pertinent information as would be required to summarize the nature and character of the proposed development;
 - e. A legal description of the property, size of the property and numbers of lots and blocks;
 - f. Location and dimensions of all boundary lines of the proposed subdivision to the nearest one-hundredth foot;
 - g. Names of all adjacent subdivisions or owners of unplatted land and the names, locations, and widths of all existing and proposed streets,

- easements, drainage ways, and other public ways adjacent to the property;
- h. Locations and widths of and the recording references for easements including book and page of recording if applicable, of all oil, gas, and petroleum products pipelines and any required setbacks on or adjacent to the property;
 - i. Location and width of easements for existing utilities on or adjacent to the property including book and page of recording reference if applicable, and any required setbacks;
 - j. Location of every pipeline, injection, oil or gas well, (either existing, active or inactive wells, plugged or unplugged abandoned wells) as shown by the records of the Oklahoma Corporation Commission and by such other records as may be on file with the Planning Department, or any planned future well sites if known;
 - k. Location and description of all regulatory floodplains or other water courses, existing and proposed drainage structures, water bodies and watercourses, to include a schedule of driveway culvert dimensions shown on the face of the plat the minimum diameter of which shall be 18”;
 - l. Areas subject to flooding based upon the regulatory floodplain;
 - m. Names, locations and widths of all proposed streets;
 - n. Location and dimensions of all proposed streets, drainage ways, detention facilities, pedestrian ways, bike paths, parks, playgrounds, public ways, or other public or private reservations;
 - o. All proposed lots and blocks consecutively numbered, their dimensions, and building setback lines shall be shown on the plat for each residential single-family lot and street addresses on each lot shall be designated with the following Caveat/Disclaimer shown on the face of the plat:

Caveat/Disclaimer

Addresses shown on this plat are 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.

- p. A topographic map of the subdivided area with contour lines having two (2) foot contour intervals based on United States Coastal and Geodetic Survey datum;
- q. Preliminary Construction Plans;
- r. The deeds of dedication and restrictive covenants shall be shown on the preliminary plat and shall include language which provides for and requires the formation of a homeowners or other owners association which shall be responsible for the maintenance of all common areas and any privately owned facilities, including but not limited to drainage

- and detention areas, park areas, private streets, entry features, and sidewalks;
- s. Language shall be included on the face of the preliminary plat specifying "Acknowledgements" by the owner, surveyor, and engineer that the plat has been prepared in accordance with all of the regulations and requirements of these Regulations;
 - t. For subdivisions with lots having an area of 2.5 acres or less on which a private sewage system is proposed, the lot area (in square feet and decimals to tenths of an acre) shall be shown on each lot; and
 - u. Any other information as may be required by the Planning Staff, Planning Commission, and Board of County Commissioners as may be reasonably necessary for the full and proper consideration of the proposed subdivision.

3.4. PRELIMINARY CONSTRUCTION PLANS.

Preliminary Construction Plans shall be prepared by a Professional Engineer licensed to practice in the State of Oklahoma. Said plans shall be submitted with the preliminary plat and be in accordance with the requirements and specifications of the department or agency having jurisdiction over the improvements and shall show:

1. The location and width of each proposed right-of-way and street, sidewalk and pedestrian way;
2. The location, size, dimensions and points of access as applicable for existing streets and utilities within 200 feet of the project boundary as necessary to serve the subject property. Utilities shall include, but are not limited to storm sewer, sanitary sewer, water, and drainage facilities;
3. The location, size and associated easements for existing and proposed storm drainage, sanitary sewer or water distribution system including points of connection to the existing system;
4. The proposed plans and specifications of any public water or sewage system;
5. Topography of the subdivided area with contour lines having contour intervals appropriate to provide a clear and accurate understanding of the natural topography based on National Geodetic and Vertical datum, including off-site areas as required for a comprehensive understanding of flow, grading and slope;
6. A grading and drainage plan indicating the location and size of existing and proposed storm sewers, the location and width of proposed drainage ways, including points of access to the existing system;

7. The proposed location of the detention facility and its inflow and outflow locations shall be submitted showing access to the detention facility for maintenance;
8. The location of all proposed off-site utility extensions.
9. The location of all proposed off-site easements; and
10. Such other information as may be required by the County for review and analysis of the proposed development and related plans.

3.5 FINAL CONSTRUCTION PLANS.

The final construction plans for improvements shall be prepared by a Professional Engineer licensed to practice in the State of Oklahoma, shall be submitted in accordance with the requirements and specifications of the department or agency having jurisdiction over the improvements, and shall include the following:

1. Profiles showing existing and proposed elevations along the center lines of each proposed street, with existing and proposed grades;
2. Cross-sections of each proposed street, bicycle path, pedestrian way and sidewalk showing the type and width of the improvement;
3. Plans and profiles of all proposed utilities and improvements, which shall include streets, storm sewer, water and drainage facilities.
4. Proposed plans and specifications for public or private water or sewage systems.
5. Results of soil profile or percolation tests if on-site sewage systems are to be used, or otherwise be in accordance with DEQ requirements. The soil profile testing method is preferred by DEQ and the County.
6. Plans and profiles of the proposed water distribution system showing pipe sizes, materials, hydrant locations, and such other detail and information as required by the County or appropriate water authority.
7. A drainage and grading plan showing all existing and proposed storm sewers, manholes, catch basins, detention facilities, watercourses, culverts, and other drainage structures within the tract, or adjacent thereto, with pipe sizes, grades, and inlets. The drainage plan shall show the size of dedicated easements, or reservations for all detention facilities and drainage ways and whether private or public maintenance is proposed and provide design information defining the drainage area with a summary sheet showing how the standards are met;
8. Grading plans showing natural and finished final grades, and finished floor elevations; and

9. Copies of the completed application form required by DEQ.

3.6 FINAL PLAT.

1. The final plat shall be at the same scale as the preliminary plat, contain the information required as conditions of preliminary plat approval, and be prepared by a Professional Land Surveyor licensed to practice in the State of Oklahoma.
2. Upon approval of the final plat by the SMAPC and Creek County Board of Commissioners, final originals and copies of the approved final plat drawing shall be submitted as follows: the final plat shall be on mylar with a marginal line around the entire sheet one (1) inch from the edge of the sheet, with no plat lines, lettering, signatures, and seals outside the margins; two (2) reproducible signed originals (one [1] for the County Clerk and one [1] for the County Planner); and six (6) copies on blue or black line durable paper (one [1] for the County Clerk and five [5] for the County Planner).
3. Information required on the final plat shall include:
 - a. Name of the subdivision prefaced by "Final Plat";
 - b. The name and address of the owner or owners of the land to be divided, the name and address of the subdivider and the name and address of the Professional Land Surveyor;
 - c. Date of preparation of the plat, north arrow and scale (in both written and graphic representation);
 - d. Key or location map showing major streets and the location of subdivisions within the mile section, a summary of the total acres platted, the number of lots and blocks, the number of reserve areas and other pertinent information as would be required to summarize the nature and character of the proposed development;
 - e. The surveyed legal description of the property;
 - f. Names of all adjacent subdivisions and the names, locations, and widths of all existing and proposed streets, easements, drainage ways, and other public ways adjacent to or abutting the property;
 - g. Boundary of the subdivided area, block boundary, street, and other right-of-way lines with distances, angles, and/or bearings. Where these lines follow a curve, the central angle, the radius, points of curvature, length of curve, and length of intermediate tangents shall be shown;
 - h. The accurate dimensions of all property to be offered for dedication for public use, and all property reserved for the common use of the property owners within the subdivision with the purpose indicated;

- i. The dimensions of all lots and lot lines, and the bearings of those lot lines not parallel or perpendicular to the street right-of-way line;
- j. All easements shall be denoted by fine dashed lines, clearly identified, and if already on record, the recorded reference (book and page) of such easements; the width of the easement with sufficient ties to locate it definitely with respect to the subdivision must also be shown;
- k. Easements that serve the area being platted located outside of the boundaries of the plat and recorded reference (book and page) shall be required for plat approval;
- l. The deeds of dedication and restrictive covenants applicable to the subdivision shall be shown;
- m. The location of every pipeline, injection, oil or gas well (either existing active or inactive, plugged or unplugged abandoned wells) as shown by the records of the Oklahoma Corporation Commission and by such other records as may be on file with the Planning Department and the location of any planned future well sites if known;
- n. Location and description of all regulatory floodplains or other water courses, existing and proposed drainage structures, water bodies and watercourses, to include a schedule of driveway culvert dimensions shown on the face of the plat the minimum diameter of which shall be 18";
- o. All proposed lots and blocks consecutively numbered, their dimensions, building setback lines, and street addresses with the following notation:

Caveat/Disclaimer

Addresses shown on this plat are 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.

- p. Blocks shall be consecutively numbered, and all lots within each block shall be consecutively numbered;
- q. The basis of bearings;
- r. Size, location, description and identification of all monuments set or to be set. The size, location and identification of all monuments found, found and accepted, retagged, recapped and replaced in making the survey shall be shown to assure the perpetuation or re-establishment of any point or line of the survey;
- s. Coordinates of all block corners, points of intersection, points of curve, points of tangent, points of reverse curve, points of compound curve, center of cul-de-sac, and centers of eyebrows;

- t. A statement shall be placed on the face of the plat that the roads either have been or will be built according to County requirements. In those cases where the roads have been constructed in accordance with County requirements and accepted by the County, the following statement shall be placed on the face of the final plat:

Roads shown on this plat have been [or will be as provided for by the assurances required by the Subdivision Regulations] constructed to County standards and will be maintained by Creek County, Oklahoma upon acceptance of said roads by separate resolution of the Board of Commissioners of Creek County, Oklahoma.

However, in those cases where said roads have not been constructed in accordance with County standards, the following statement shall be placed on the face of the final plat:

Roads shown on this plat have not been constructed in accordance with County standards and will not be maintained by the County until or unless all such roads are improved to County standards and accepted by resolution.

In the case where said roads have not been built to County standards and are not to be maintained by the County, the developer shall be required to install signs attesting to the private maintenance.

- u. Any other information as may be required by the Planning Staff, Planning Commission, and Board of County Commissioners as reasonably necessary for the full and proper consideration of the proposed subdivision;
 - v. For subdivisions with lots having an area of 2.5 acres or less on which a private sewage system is proposed, the lot area, in square feet and decimals to tenths of an acre shall be shown on each lot; and
 - w. The recording references and dedication of and for all streets and easements located within or adjacent to the plat or utilized or impacted by the plat.
4. The following certifications (see Appendix H) shall be required on the face of the final plat prior to final plat approval of said plat by the Planning Commission and Creek County Board of Commissioners:
 - a. Certification by the Professional Land Surveyor who prepared the plat as to the accuracy of the survey and of the plat, and that the monuments and benchmarks are accurate as to location shown, which shall also state that he or she has fully complied with the requirements of these Regulations and the subdivision laws of the State of Oklahoma governing surveying, dividing and mapping of

- land, and that the plat is a correct representation of all of the exterior boundaries of the land surveyed and the subdivision of it, and that the plat represents a survey made by such surveyor;
- b. Certification by the Professional Engineer licensed to practice in the State of Oklahoma that the design of the required improvements is in conformance with the standards, requirements, and provisions of the applicable agency or department and these Regulations;
 - c. Certification by the County Engineer, based upon "As Built" drawings submitted by and certified by the Developer's Engineer, that the subdivision plat conforms to County standards and specifications of these and other applicable regulations as may be required;
 - d. Certification by the DEQ that the subdivision conforms to the applicable environmental regulations as may be required;
 - e. Certification by the County Water and Sewer Utility or other appropriate authority that the subdivision conforms to all applicable regulations concerning public water supply and sanitary sewer facilities;
 - f. Certification by the owner of the land that states that he or she has caused the land described in the plat to be surveyed, divided, mapped, dedicated and access rights reserved as represented on the plat. Dedication of streets, easements, and other public areas, as applicable, shall also be made as a part of this certificate and the certificate shall be executed as a real estate conveyance is executed; and
 - g. The owner shall further acknowledge on the face of the final plat that the several improvements as set forth by notation on the final plat that all streets have been or shall be graded, base material applied and surfaces paved in accordance with the Engineering Standards of the County to include, where applicable, curbs and gutters, street name signs in place, visual screens, utilities and street lights installed, and all drainage and detention facilities constructed in accordance with the approved plans on file with the Engineering Department, all at the owner's expense and in compliance with the requirements of the County.
5. The following supplemental information (see Appendix H) shall be submitted with the final plat:
- a. Current certification by a bonded abstractor, attorney or title insurance company of the last grantees of record owning the entire interest in the property being subdivided to include holders of mortgages and liens filed of record;
 - b. The consent of all owners of the subject property to the platting of the property;

- c. Certificate of notice as to the platting of the property to the holders of mortgages and liens thereon;
 - d. Current certification from the Corporation Commission of the State of Oklahoma setting forth the status of oil and gas activity on said property;
 - e. When the subdivider has chosen to install improvements prior to the endorsement of the Final Plat, approval shall not be endorsed on the plat until after all conditions of the approval have been satisfied and all improvements satisfactorily completed. There shall be written evidence that the required improvements have been installed, and necessary dedications made, in a manner satisfactory to the County Engineer;
 - f. When the subdivider has chosen to guarantee construction of improvements by written agreement, approval shall not be endorsed on the plat until after the required agreements guaranteeing the installation of the required improvements have been executed and delivered to the Board of County Commissioners, and all conditions of the approval pertaining to the plat have been satisfied; and
 - g. Other information as required by the Planning Staff, Planning Commission, and Creek County Board of County Commissioners.
- 6.** An electronic file (computer disk or CD) for the Planning Commission (CAD dxf or dwg file and GIS shape file) and the Creek County Assessor of the final plat referenced to a section corner shall be submitted with the final plat. A computer disk or CD shall contain the following information:
- a. Lot lines;
 - b. Lot dimensions, block numbers and lot numbers, and street addresses;
 - c. Boundary of the subdivided area, block boundary, street, and other right-of-way lines with distances, angles, and/or bearings, and where these lines follow a curve, the central angle, the radius, points of curvature, length of curve, and length of intermediate tangents shall be shown;
 - d. The names of all adjacent subdivisions and the names, locations, and widths of all existing and proposed streets, easements, drainage ways, and other public ways adjacent to the property;
 - e. Title block listing the subdivision name prefaced by "Final Plat", the surveyor's name, easement lines and dimensions;
 - f. Water bodies and stream meander lines and names, easement lines and dimensions; and
 - g. Other information as required by Planning Staff, Planning Commission and Creek County Board of County Commissioners.

7. All plat review fees and inspection fees shall be paid in full prior to final approval and prior to affixing the signatures of the Planning Commission and Creek County Board of Commissioners on the face of the final plat.

3.7 MONUMENTATION.

Monuments set must be in sufficient number and durability so as not to be readily disturbed, to assure together with monuments already existing, the perpetuation or re-establishment of any point or line of the survey. Monuments shall be constructed of material capable of being detected with conventional instruments for finding ferrous or magnetic objects, and as follows:

1. Monuments must be placed at each point in the boundary of the subdivision. These monuments shall be a minimum of fifteen (15) inches in length with a minimum diameter of one-half (1/2) inch iron pipe or bar;
2. Monuments must be placed at each corner of each lot in the subdivision. These monuments shall be a minimum of fifteen (15) inches in length with a minimum diameter of three-eighths (3/8) inch iron pipe or bar;
3. Monuments must be placed along the centerline of each street within the subdivision at all street intersections, points of curve, points of tangent, points of compound curve, points of reverse curve, center of cul-de-sacs and center of eyebrows. These monuments shall be a minimum of fifteen (15) inches in length with a minimum diameter of one-half (1/2) inch iron pipe or bar;
4. In such cases where the placement of a required monument at its proper location is impractical, a witness corner or reference monument must be placed, preferably on a line of survey, with the data given to show its location upon the ground in relation to the subdivision boundary or lot corner;
5. Brass caps for vertical control must be set in concrete, stamped with the elevation (N.G.V.D.) and the registration number of the Registered Professional Land Surveyor in responsible charge preceded by the letters "RPLS". Vertical control monuments must be placed at an interval of one brass cap per 20 acres or part thereof and spaced proportionately throughout the subdivision; and
6. Any monument set by a Registered Professional Land Surveyor to mark or reference a point on a boundary, land line, lot corner or centerline must be permanently and visibly marked or tagged with a durable marker or cap stamped with the registration number of the Registered Professional Land Surveyor in responsible charge preceded by the letters "RPLS".

SECTION 4. PLANNING AND DESIGN REQUIREMENTS

4.1 GENERAL.

The design of each subdivision shall be in accordance with the applicable zoning requirements and the policies and goals of the Comprehensive Plan, Engineering Design Criteria, Standard Specifications for Construction, and all related Creek County rules and regulations. Each subdivision shall relate harmoniously to the overall County and the immediately adjacent area, such that the development shall proceed in an orderly, safe, efficient and attractive manner.

1. Development District Concept and the Neighborhood Concept. The Development District and Neighborhood Concept, as expressed in the Comprehensive Plan, shall be considered in the development of all subdivisions as shown in Figures 2 and 3.
2. Site Characteristics. Each subdivision plat shall be designed to retain the natural topography and vegetation in the building and recreation areas wherever practical. Environmentally sensitive areas, such as steep slopes, timbered areas, streams and floodplains, may be designated by the subdivider as public or private open areas and utilized as amenities to the development.
3. Parks and Open Spaces.
 - a. Each development in the R Residential Zoning Districts shall contribute to the provision of open space and/or usable recreation area if and/or as required by the Creek County Board of Commissioners, the Comprehensive Plan, and all other such regulations of the County.
 - b. Park and open space areas shall be related to the appropriate usable natural features of the site, such as slopes, rock outcroppings, streams, timbered areas and floodplain areas and to the circulation and land use patterns.
4. Circulation - Streets and Sidewalks. The street system of a subdivision shall be appropriately designed and related to the proposed land use as follows:
 - a. The density or intensity of development will determine the right-of-way width and paving in keeping with the area being served;
 - b. Residential streets, excluding collector streets, shall be laid out so that their use by through traffic is prohibitive;
 - c. Points of access to arterial streets should be limited in number, and minor street intersections with arterial streets should be no closer than 600 feet from the intersection of arterial streets;
 - d. Arterial streets should serve as the boundaries of neighborhoods;

- e. Curb and gutter construction shall be required on all development of one acre or less and on all lots having a frontage of 150 feet or less, except as otherwise permitted by the Zoning Code; and.
- f. For those lots where the street construction is to be curb and gutter, sidewalks shall be required on both sides of all primary arterial, secondary arterial and residential collector streets, for separate pedestrian circulation as hereinafter provided unless approved for a modification by the Planning Commission and Creek County Board of Commissioners and as otherwise required in Section 4.4.

5. Finished Floor Elevation for Public Sanitary Sewer.

- a. The minimum finished floor elevation for construction in a subdivision shall be submitted on a copy of the final plat with Preliminary and Final Construction Plans.
- b. In all cases where the finished floor elevation is not constructed at one foot above the elevation of the top of the rim of the upstream manhole, backflow preventer valves shall be installed on private property as follows:
 - (1) Backflow preventer valves shall be installed on all buildings that connect to a public sewer; and
 - (2) Backflow preventer valves shall be installed so that access is provided to the working parts for service and repair. If installed under concrete or asphalt paving such as sidewalks, driveways or parking areas, backflow preventer valves shall be installed in a permanent box or access enclosure whose lid is flush with the finished grade. If installed under soil or ground cover vegetation, a backflow preventer valve is considered to be accessible.

4.2 STREETS.

- 1. General. The arrangement, character, extent, width, grade and general location of all streets shall conform to the Comprehensive Plan, the Major Street Plan, the Engineering Design Criteria, and the Standards and Specifications for Construction. Where streets are not shown in the Comprehensive Plan or the Major Street Plan, the arrangement of streets in a subdivision shall either:
 - a. Provide for the continuation or appropriate projection of existing streets in surrounding areas; or
 - b. Conform to a plan for the neighborhood approved and adopted by the Planning Commission and Creek County Board of Commissioners to meet a particular situation where topographical or other conditions make continuance or conformance to existing street patterns impracticable. The relationship to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land to be served shall be considered in determining the arrangement, character, extent, width, grade and location of all streets.

- c. Design speed shall be a maximum of 25 miles per hour on all residential streets and a maximum of 30 miles per hour on all collector streets, or as otherwise approved by the Planning Commission and Creek County Board of Commissioners.
- d. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with all other requirements of these Regulations and as determined by the Planning Commission. Whenever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted with the tract being subdivided.
- e. Any subdivision that create lots with direct access to a County Section Line or Arterial Road shall widen and otherwise improve said Road to a width and standard as determined by the County Engineer based on these Regulations and as finally determined and approved by the Creek County Board of Commissioners.
- f. The developer of any subdivision shall layout, grade and otherwise improve streets as designated on the construction drawings submitted with the plat. No construction of buildings shall commence within the subdivision until the required public improvements have been completed and accepted by the Creek County Board of Commissioners, or as otherwise provided by these Regulations.
- g. Roadway surfacing shall be in accordance with the Engineering Design Criteria, and the Standards and Specifications for Construction of Creek County. All grading and surfacing shall be done under the supervision of the Creek County Board of Commissioners and shall be subject to their final approval and acceptance. The improvement of the intersection of any street or driveway with a State or Federal Highway shall be approved by ODOT. As Built drawings shall be required by the County upon completion of the improvements and prior to acceptance for maintenance by the County
- h. All driveway approaches onto public or private roads or streets shall be improved to the standards established by the Creek County Board of Commissioners.

2. Access.

- a. Reserve strips controlling access to streets or other lands shall be prohibited except where their control is placed with the County under conditions approved by the Planning Commission and Board of County Commissioners.
- b. The subdividing of land shall provide each lot with access to a public street, highway or approved private street to assure convenience of the lot owner as well as provide for the layout of utilities, garbage and waste removal, fire protection, and for the general welfare, public health and safety.

- c. Where a subdivision abuts or contains an existing or proposed arterial or collector street, "Limits of No Access" (LNA) provisions controlling ingress and egress to such streets may be required by the Planning Commission in accordance with adopted standards to assure traffic safety and to relieve congestion along such streets.
 - d. Where a subdivision abuts or contains an existing or proposed state or federal highway, arterial or collector street, the Planning Commission may require a reverse frontage with no vehicular access (LNA) permitted along a public or private property line, or other such landscape or screening treatment as may be necessary for adequate protection of residential properties and to afford separation of traffic from the ingress and egress from individual residential lots.
 - e. Where a residential subdivision abuts or contains an existing or proposed collector street, and the subdivider elects to design residential lots that front such street, the Planning Commission may require larger lot frontages and shared mutual access drives to afford separation of ingress and egress.
 - f. The fronting of residential lots onto arterial streets is not permitted. Where residential lots are proposed to front such streets, frontage roads or similar shared points of access are required. A waiver of this provision requires approval by the Creek County Board of Commissioners.
3. Border Streets. Where a subdivision borders on or contains a railroad right-of-way, drainage way, open space area, or limited access highway right-of-way, the Planning Commission may require a street approximately parallel to and on each side of such right-of-way or areas at a distance suitable for the appropriate use of intervening land for park, or greenbelt purposes in residential districts, or for commercial or industrial purposes in the appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.
4. Alignment. A minimum distance of 125 feet between the centerlines of intersecting streets shall be maintained. The Engineering Department may require that streets be connected by a curve or diagonal line in such a manner that hazardous turning movement will be eliminated.
5. Marginal Access Streets. Where a subdivision abuts or contains an existing or proposed arterial street, and the subdivider elects to design lots that front on the arterial street, the Planning Commission may require marginal access streets or frontage roads or service streets for adequate protection of these properties and to afford separation of arterial traffic from the ingress and egress to residential lots.

6. Right-of-Way Widths.

- a. The minimum right-of-way of all proposed streets shall be of the width specified in the Major Street Plan. If no width is specified therein, the minimum width, within which all borrow ditches and related slopes shall be included, shall be as follows:

TYPE OF STREET	RIGHT-OF-WAY
Freeway	As per Oklahoma Department of Transportation standards
Primary Arterial	120' minimum*
Secondary Arterial/Section Line Road	100' minimum**
Secondary Arterial Alternate (5-Lane)/Section Line Road	100' minimum
Commercial/Industrial Collector	80' minimum
Central Business District Street	80' minimum
Commercial/Industrial Street	60' minimum
Residential Collector/Rural Residential Street	60' minimum***
Residential Street, Local/Minor	50' minimum****
Cul-de-Sac	50' minimum****

* 130' minimum right-of-way required for a right turn lane for a primary arterial street at the major intersection to extend a distance of 388' paralleling said right side of street, measured from the section line as shown in Appendix C.

**108' minimum right-of-way required for a right turn lane for a secondary arterial street at the major intersection to extend a distance of 388' paralleling said right side of street, measured from the section line as shown in Appendix C.

***Permitted with borrow ditches for construction of lots with a frontage of greater than 150' or greater.

****Requires curb and gutter design and construction for lots with a frontage of less than 150'.

- b. If greenbelts or drainage ways are influenced by natural topographical features and are provided within the proposed plat, the width and location shall be determined as may be deemed necessary by the Planning Commission to preserve such features.
- c. The pavement width and lane configuration shall be subject to the requirements of the County Engineer and otherwise be in accordance with the Major Street Plan as included in Appendix D.
- d. The standards for street surfacing, curb and gutter, and storm sewer design or open storm drainage shall be subject to the requirements of the Engineering Department and the adopted Engineering Design Criteria and Standard Specifications for Construction.

- e. Regardless of street classification or right-of-way width, where a private drive crosses a borrow ditch, the developer's engineer shall determine the minimum required diameter of the culvert which shall be shown and recorded on the face of the final plat. All such culvert pipes shall be sized to, at a minimum, convey the 5-year runoff event and be a minimum of 18 inches in diameter. All such culvert pipes shall include a standard inlet/outlet structure for each private drive.

7. Cul-de-sac.

Except as otherwise provided herein, cul-de-sacs shall not exceed 500 feet in length, measured from the intersecting street to the center of the turn-around, and if more than 150 feet in length shall have a turn-around radius at the property line of not less than 50 feet. To meet the needs of specific situations, this requirement may be changed by the Planning Commission, upon recommendation by the TAC, when topography or other limiting factors make such changes necessary for securing the best overall design; however, in no case shall such cul-de-sac exceed 1500 feet. A modification (Section 1.10) approved by the Planning Commission of the requirements of this subsection is not required.

8. Intersections.

- a. Property lines at street intersections and Sight Distance Triangles shall be designed in accordance with the Zoning Code.
- b. Street intersections shall be as nearly at right angles as possible, with consideration given to topography and/or such other limiting factors. No street intersection shall be at an angle of less than 70 degrees.
- c. Detailed designs of intersections shall be required.
- d. Street jogs with centerline offsets of less than 125 feet shall not be permitted.
- e. Not more than two (2) streets shall intersect at any one point.
- f. Shall otherwise be designed and constructed in accordance with the Engineering Design Criteria.

9. Grades and Grading.

- a. All changes in grade shall be connected by vertical curves and designed for safe stopping and turning sight distances as follows:
 - (1) Vertical curves shall be the minimum length available for the two grades as defined by the AASHTO publication, titled "A POLICY OF GEOMETRIC DESIGN OF HIGHWAYS AND STREETS." Vertical curves shall not be less than 100 feet. The "K" value shall not be less than 20 for crests, and shall not be less than 30 for sags.
 - (2) Minimum Grade: The minimum grade for gutters and centerlines shall be 0.5 percent.

- (3) Minimum Length: The minimum length of vertical curves for the various streets are as follows:
- 100 feet - Local (Residential) Streets
 - 150 feet - Collector Streets
 - 200 feet - Arterial Streets
- b. The maximum street grades shall not exceed eight percent (8%). Where the topography is hilly, grades may be permitted up to a maximum of 12 percent providing they do not exceed 300 feet in length from PT to PC, except in areas near intersections, where the 8% maximum will apply.
- c. The maximum driveway grade, from the street right-of-way to the building line, shall not exceed 12%.
- d. Residential street grades at intersections, shall not exceed 2% into arterials and section line roads, 3% into commercial/industrial roads, and 4% into all other residential streets, for a minimum distance of 50 feet from the intersected right-of-way line.
- e. Commercial and industrial street grades, at intersections shall not exceed 2% into arterials and section line roads, 3% into residential streets and other commercial/industrial roads, for a minimum distance of 50 feet from the intersected right-of-way line.
- f. Street grades shall be established in such a manner to avoid excessive grading or removal of tree growth, and shall otherwise be in accordance with the Engineering Design Criteria and the Standards and Specifications for Construction.
- g. In those cases where topography or other physical features dictate, approval of a modification (Section 1.10) by the Planning Commission of the requirements of this subsection is not required.
- h. Prior to any grading the developer shall submit to the Creek County Planner evidence of compliance with the "Notice of Intent" (NOI) requirements of the ODEQ.
- 10. Horizontal Curves.** The radius of curvature of the centerline of all streets shall be as follows, and otherwise in accordance with the Engineering Design Criteria:

<u>Street Classification</u>	<u>Minimum Centerline Radius</u>
Arterial/Primary/Secondary/Section Line Roadway	500'
Commercial/Industrial Collector	500'
Central Business District	500'
Commercial/Industrial Street	500'
Residential Collector/Rural Residential Street	270'
Residential Street, Local/Minor	75'
Cul-de-sac	75'

11. Street Offsets.

- a. Street intersection offsets or doglegs on arterial streets are not permitted.
- b. Street intersection offsets or doglegs on local and collector streets are permitted. Where a higher volume route doglegs, an offset to the left may be permitted subject to approval of the County Engineer. However, offsets to the right are not permitted.
- c. The minimum offset to the left shall be as follows:
 - (1) A minimum of 125 feet for a local or minor street intersecting another local or collector street.
 - (2) A minimum of 250 feet for a collector street intersecting another collector street.

12. Private Streets and Roads.

- a. Private streets and roads, when permitted by the Creek County Board of Commissioners, shall be allowed only in those cases where the continued private maintenance and upkeep is guaranteed by mandatory membership in a homeowners association (such as by a Planned Unit Development). All such private streets shall be constructed in accordance with public street standards as shown in the Engineering Design Criteria, and Standard Specifications for Construction, and as otherwise approved by the Creek County Board of Commissioners.
- b. For all development on private streets and all other roads using borrow ditches, a Professional Engineer licensed to practice in the State of Oklahoma shall certify that the minimum required diameter of culverts under driveways is designed to convey the 5-year runoff event and no culvert is permitted to be less than 18" in diameter. A schedule of the location and diameter of such culverts shall be shown on the preliminary and final plat drawing.
- c. Private streets and roads, when permitted shall comply with the following minimum requirements:
 - (1) All private roads shall comply with the adopted requirements for construction and no reduction in County design or construction standards is permitted;
 - (2) In those cases where private roads are approved by the Creek County Board of County Commissioners, the following requirements shall be met:
 - (i) A note shall be placed in the Deeds of Dedication and Restrictive Covenants as follows:

The developer/owner of this subdivision, shall as a condition of approval of the final plat and prior to approval of the final plat, post a one-year maintenance bond, in favor of the home owners for any necessary maintenance of said private roads.

- (ii) Inspection of said private roads shall be paid for by a qualified third party, approved by the County and paid for by the developer, to assure that the said streets are constructed and improved to the minimum standards shown in the approved final construction plans.
- (3) All private roads shall be self-contained in the subdivision they serve and private roads shall not serve as a through street;
- (4) Private roads shall not be a continuation of dedicated public streets to other private streets;
- (5) There shall be clearly and conspicuously placed on the face of the final plat and any deed or other such conveyance of lots in the subdivision the following notice:

The streets and drives in this subdivision have not been dedicated for public use, and said streets shall be maintained by private property owners within the subdivision, but said streets shall always be open to police, fire and other official vehicles of all federal, state, county and city agencies.

- (6) Prior to the sale of any parcel in said subdivision, a conspicuous sign shall be posted and maintained at all entrances to said subdivision which states:

Private Roadway Not Maintained by Creek County.

- (7) Said private roadway right-of-way or easement shall be at least 60 feet in width unless otherwise approved by the Creek County Board of Commissioners.
- (8) All applicable building setback lines shall be calculated from a line one-half the width of the required street right-of-way or road and be parallel to said private right-of-way or easement.
- (9) Said private roadway shall not be dedicated to Creek County but may be reserved for future dedications and then only at such a time as when the street construction is improved to County standards by the private property owner. Until such future dedication and except as provided above all private streets and roads shall be subject to the maintenance of an owners association composed of the mandatory membership all property owners in the subdivision.

- (10) At the Creek County Board of Commissioner's option, a petition of at least 60% of the owners in the subdivision to improve and dedicate the private roadway to the County shall bind all said owners in the subdivision to improve said street or roadway in compliance with the requirements of Creek County. Such cost shall be proportionately assessed to the property owners.
- (11) Plans for private street improvements shall be prepared by a Professional Engineer licensed to practice in the State of Oklahoma. The subdivider shall file with the County a surety (performance) bond in the amount of 125% of the estimated construction costs, conditioned that the subdivider, as principal, will faithfully install and complete improvements and utilities in the subdivision within a period not to exceed two (2) years, according to requirements of the County, approved plans, specifications, and subdivision rules and regulations, and will pay all bills for contractors, improvements, and utilities. An extension of this period may be granted only by the Creek County Board of Commissioners.
- (12) Said Professional Engineer licensed to practice in the State of Oklahoma shall furnish the actual bid costs of said improvements and utilities to the County Engineer, who upon review may approve the costs of paving, storm sewers and other drainage facilities, if required, in order that the Planning Commission may determine whether or not the amount of the bond submitted is adequate to assure the construction of these facilities and in order to protect the interests of the County and public welfare. All current policies, inspection fees, or other normal requirements of the County Engineer shall also apply in full force to assure the proper construction of said private roadways.
- (13) In lieu of the above provision, and only upon completion of said improvements, the developer may submit a document prepared by a Professional Engineer licensed to practice in the State of Oklahoma, which certifies that all private roads for said development are constructed in accordance with the Engineering Design Criteria, and Standard Specifications for Construction and as otherwise approved the Board of County Commissioners.
- (14) Prior to the approval of such private roadways by the County Engineer and Creek County Board of Commissioners, all abutting property owners shall enter into a legal agreement and form an owners association to guarantee maintenance and apportion the maintenance cost among said owners. Such agreement shall clearly state that the County is not responsible for maintenance.
- (15) In those cases where development is served by private streets, no further subdivision of such land is permitted beyond that approved on the plat until or unless said streets are improved to County standards and accepted for maintenance by resolution of the Creek County Board of Commissioners; and

- (16) Street stub easements to serve potential future subdivision and to improve the overall circulation pattern of the area shall be provided in any location deemed appropriate by the Planning Commission. Connections from such private streets to planned or existing dedicated public streets shall be permitted only subject to approval by the Planning Commission and Creek County Board of Commissioners.

4.3 ALLEYS.

1. Unless provision is made for utility easements, emergency access and service access, alleys shall be provided in commercial and industrial districts at the rear of all lots regardless of frontage on a major street.
2. Alleys serving commercial and industrial areas shall not be less than 30 feet in width and shall be paved the full width.
3. Alleys may be required in R Residential zoning districts by the Planning Commission after review and recommendation by the TAC for efficient solid waste collection, more effective police and fire protection or for more efficient provision of service access and maintenance of utilities. Alleys serving such R Residential zoning districts shall not be less than 20 feet in width and shall be paved for the full width.
4. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall have a radius sufficient to permit safe vehicular movements as determined by the County Engineer.
5. Dead-end alleys shall be avoided where possible, but if unavoidable shall be provided with adequate turnaround facilities at the dead-end as determined by the County Engineer.

4.4 SIDEWALKS.

1. Where curb and gutter streets are constructed, sidewalks shall be required on both sides of all primary arterials, secondary arterials, secondary arterial alternates, and residential collector streets. However, in subdivisions developed in A Agriculture Districts or in R Residential Districts where lots are a minimum of 150 feet wide, sidewalks are not required. Further, in the event there exists a unique situation in determining the requirement for sidewalks along residential collector streets, the Creek County Board of County Commissioners, upon recommendation of the Planning Commission, may grant a modification to such requirements. Sidewalk requirements or the granting of an exception thereto shall consider the relationship of such sidewalks to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land and proximity to existing and proposed future development.

2. In those cases where sidewalks are required along primary arterial streets, secondary arterial streets or secondary arterial alternate streets, the County, at its sole option and upon recommendation of the County Engineer, may allow the subdivider to escrow 100% of the actual bid cost or 125% of the estimated construction cost as determined by the said Engineer in a cash account with the County to allow such sidewalks to be constructed at a later specified date. The County Engineer may allow the subdivider to provide a performance bond in favor of the County in the amount of 150% of the estimated construction cost approved by the County Engineer in lieu of a cash account.
3. The Planning Commission may require, in order to facilitate pedestrian access to schools, parks, playgrounds, churches, shopping centers or nearby streets, perpetual unobstructed easements of not more than ten (10) feet in width to provide adequate pedestrian circulation. Such easements shall be indicated on the plat.
4. Sidewalks shall be located within the dedicated right-of-way and constructed in accordance with the adopted Creek County Engineering Design Criteria and Standard Specifications for Construction.

4.5 BLOCKS.

1. The length, width and shape of blocks shall be suited for the planned use of the land and be determined in accordance with the following:
 - a. Zoning requirements applicable to lot sizes and dimensions;
 - b. Needs for convenient access, circulation, control and safety of street traffic; and
 - c. Limitations and opportunities of topography.
2. Blocks for residential use shall not be longer than 1500 feet, measured along the centerline of the abutting streets. When a block exceeds 700 feet in length, the Planning Commission may require a dedicated right-of-way not less than ten (10) feet in width with a paved crosswalk not less than six (6) feet in width in the right-of-way to provide pedestrian access at the approximate mid-point of the block. A modification (Section 1.10) approved by the Planning Commission of the requirements of this section is not required.
3. Blocks used for residential purposes should be of sufficient width to allow for two (2) tiers of lots of appropriate depth, except where adjacent to major streets, limited access highways, railroads, waterways, or when prevented by topographical conditions.
4. Blocks intended for business and industrial use should be of a width and depth suitable for the intended use, with due allowance for off-street parking and loading facilities.

4.6 LOTS.

1. Configuration. The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and planned use. Each residential lot shall be designed with a front lot line, a rear lot line and not more than three (3) side lot lines. Front lot line, rear lot line and side lot line are defined in the Zoning Code. The Planning Commission may modify this requirement when the purpose of these Regulations may be served to the same extent by an alternative proposal as provided in Section 1.10 Modifications.
2. Access. Every lot shall have frontage on or abut a street dedicated to and maintained by the County (or approved private street) or other approved access. See Section 4.2.2.
3. Zoning Requirements. Lot dimensions, yard, building setback lines, and lot area shall conform to the requirements of the Zoning Code.
4. Double Frontage and Reverse Frontage.
 - a. Double frontage and reverse frontage lots should be avoided except where necessary to provide separation of residential development from through traffic or to overcome specific disadvantages of terrain and orientation. Said lots shall have a minimum depth of 125 feet and shall be screened from the abutting street on the rear.
 - b. For double frontage or reverse frontage lots, a planting screen easement of at least ten (10) feet in width shall be provided along the portion of the lots abutting the street on the rear and there shall be no right of access across a planting screen easement. At the discretion of the Planning Commission, the developer may substitute for an easement and planting screen a permanent opaque ornamental fence not less than six (6) feet tall, in which case the ten (10) feet planting screen easement will not be required .
5. Corner Lots. Corner lots should exceed the minimum lot requirements in order to provide adequate building area on the lot due to the required building setbacks on both streets.
6. Lot Lines. Side lot lines should be at right angles to or radial to street lines or to the tangent of curving streets. Lot lines not at right angles to or radial to street lines or to the tangent of curving streets must show bearings of the lot lines.
7. Private Sewer and/or Water. Where a proposed subdivision is not served by public sewer and/or water, lot dimensions and area shall conform to the requirements of the DEQ. See Appendix B.

4.7 EASEMENTS.

1. Utility Easements.

- a. Easements shall be a minimum of 22 feet, 11 feet on each side of all rear lot lines, or a width as specified by the utility company, and when necessary on other lot lines, for utilities, drainage, or access. Easements (drainage, access, utility, etc.) shall be exclusive for the intended primary purpose.
- b. When an easement of 22 feet in width is not provided, the minimum width of the easement shall be 17.5 feet.
- c. Easements shall be maintained free of buildings, fences, appurtenances, or other structures which would prevent vehicular access for maintenance and service of utilities.
- d. A modification (Section 1.10) approved by the Planning Commission of the requirements of this section is not required.

2. Drainage Easements. Drainage easements, as required by the adopted Engineering Design Criteria, shall be provided on the subdivision plat.

3. Easements Subject to TAC Review. The location, width, and alignment of all easements shall be subject to review by the TAC prior to approval by the Planning Commission and Board of County Commissioners.

4. Color coding shall comply with Appendix E, "Standard Location of Underground Utility Lines and Color Code."

5. Standards for oil and gas drilling shall be in accordance with the Zoning Code and all other applicable County, state or federal regulations.

6. Evidence of research and plugging of operative or inoperative oil or gas wells shall be submitted as required in Sections 3.2, 3.3, and 3.6.

4.8 FLOODPLAIN AREAS.

In order to develop lands identified by the official floodplain maps of Creek County as being subject to flooding hazards or periodic inundation, said lands shall not be subdivided into lots, tracts or parcels for any use which would be incompatible with such flooding hazards and a letter of map amendment and revision or evidence of compliance with the applicable regulations of Creek County shall be required prior to approval of the final plat or prior to start of construction. The following additional requirements shall be met:

1. Improvements are provided which meet the standards and requirements of Creek County and the appropriate state and federal agencies that are designed and constructed so as to render such land safe for residential or other uses; or

2. The intended use of the land is permitted by adopted regulations or resolutions of the County because such use has a low flood damage potential and will not obstruct flood flows, which shall be certified and attested to by a Professional Engineer licensed to practice in the State of Oklahoma.
3. If development is permitted within the floodplain, such development shall comply with all permitting requirements of Creek County and the adopted floodplain regulations.

4.9 STORM WATER DRAINAGE AND DETENTION FACILITIES.

1. The post-development runoff shall not exceed the pre-development runoff for all runoff frequency rainfall events, at all locations where runoff exits the property, and documented by the 5-year and 100-year frequency rainfall events.
2. The storm water drainage system shall be designed and constructed in accordance with the standards and requirements adopted by Creek County, and shall be so designed to receive and pass the runoff from a post development 100-year frequency rainfall. The entire flow shall be confined within the said storm water drainage systems, easements or reserve areas.
3. The ownership and maintenance requirements (privately owned, frequency of mowing, dredging of ponds, etc.) for all detention facilities shall be specified in the Deeds of Dedication and Restrictive Covenants.
4. A 20' wide minimum improved accessway shall be provided to all detention facilities as required in the Engineering Design Criteria.

4.10. INJECTION, OIL AND GAS EXTRACTION SITES - RESIDENTIAL SUBDIVISIONS.

1. Existing Operative, Inoperative, Plugged and Abandoned Wells:
 - a. Shall be shown on the face of the plat submittal as well as described in the Restrictive Covenants;
 - b. All abandoned, inoperative or inactive wells shall be properly plugged;
 - c. Residences shall be setback a minimum of 200 feet or more from any existing operative or inoperative oil or gas well unless said well is properly plugged, or unless the Planning Commission has reduced the setback requirement. However, no such setback shall be less than that required by H.B. 1569 or subsequent amendments thereto;
 - d. Residences shall be setback a minimum of 50 feet from any plugged well;

- e. Access to such well sites shall be separate from residential lots and so indicated on the face of the plat for all unplugged wells for the purpose of maintenance and rework;
- f. Evidence of research and plugging of operative or inoperative wells (i.e., a certificate or letter from the Oklahoma Corporation Commission) shall be submitted as required in Sections 3.2 and 3.3; and
- g. Inactive or abandoned foundations, anchors, or other solid bulk structures shall be remediated in the following manner:
 - (1) Removal of certain portions from the development to an approved location, or burial of remaining portions in a manner approved by the Creek County Board of Commissioners.
 - (2) Reduction into sections of manageable size for burial and possible future removal is required as follows:
 - (i) Location of placement shall be approved by the Creek County Board of Commissioners and shown or specified on the face of the plat.
 - (ii) Buried material shall be in a location that does not encroach upon easements or otherwise create complications for future use of common property or for any lot.
 - (iii) Material bulk sections may be located in a flood prone area only when included in a floodplain development permit.

2. Planned Oil or Gas Well Sites

- a. Well sites with an area of less than ten (10) acres shall not be permitted within residential subdivisions.
- b. If the developer owns both the surface rights and all mineral rights, he may by plat or reserve designate future well sites, if there are no existing oil, gas or mineral leases of record.
- c. If the developer does not own all the mineral rights, or there are recorded oil and gas leases on the subject property, written notice must be sent to all parties who have an oil, gas, or mineral interest or recorded oil or gas lease, as shown by the records of the County Clerk. Said notice shall inform of the intent to subdivide said property by reference to a legal description.
- d. Interested parties shall have 60 days from receipt of said notice to respond with a notice of a future intent to drill oil or gas. Said response shall be in writing to both the developer and the Planning Commission of the intent to drill for oil or gas in the future.

- e. The developer and owners of leases or owners of mineral interests have an additional 120 days from the date of the notice to agree upon the reserved location of the well sites.
- f. If the parties cannot agree on the location of the well sites, the Planning Commission, after public hearing, shall select the well sites based on the information supplied by the mineral rights owner and the developer.
- g. All well sites shall be shown on the face of the plat, as well as referenced in the Restrictive Covenants, such as by lot and block or reserve area.
- h. Standards for location of well sites:
 - (1) A minimum of two (2) acres or more in size for each well site;
 - (2) Access shall be provided to the site for purposes of maintenance and service; and
 - (3) There shall be no more than one (1) well site within the boundaries of the plat for each 20 acres of land covered by the plat.

4.11 SANITARY SEWAGE DISPOSAL AND WATER SUPPLY.

1. General Requirements:

- a. All subdivisions shall utilize a public drinking water supply approved by the DEQ, or such supply as would otherwise comply with the regulations of the DEQ.
- b. All plans pertaining to the public collection and treatment of sewage must be approved by the DEQ, the applicable sewer department, and Creek County.
- c. All plans pertaining to distribution and treatment of public drinking water must be approved by the DEQ, the applicable water department, and Creek County.
- d. If the subdivision is located within 500 feet of an existing public water or public sanitary sewer system, the developer shall connect with said system that so it is available to every lot within the subdivided area.

2. Requirements for Sanitary Sewer Improvements:

- a. The Subdivider shall at his or her expense, provide an internal sanitary sewer collection system to every lot within the subdivision. Said system shall be designed and constructed as approved by the DEQ and in accordance with requirements of Creek County and the duly adopted standards and specifications of any applicable sewer district.

- b. Where an approved public sanitary sewer system is greater than 500 feet but less than one (1) mile from the subdivision and in order to allow development during the time required to extend the public sanitary sewer system into those areas without such system, the Planning Commission and Creek County Board of County Commissioners require the following:
- (1) A central treatment plant may be utilized until an approved public system is available within 500 feet or less, provided that said treatment system meets all applicable water quality criteria and is designed and constructed as approved by DEQ and in accordance with regulations of Creek County and any applicable district.
 - (2) In those cases where a Master Wastewater Plan for the drainage basin in which the subdivision is proposed has been prepared and adopted, and where said plan specifies that the sewer interceptor is included on the officially adopted Five Year Capital Improvement Program, a subdivision may develop initially on individual on-site systems in accordance with standards as set out herein, provided that in addition to installation of the on-site systems, the developer shall be required to install a sewer collection system within the subdivision that can be connected to the public system when it becomes available, and each lot shall be provided with a building sewer line connected to such system. Said system and building sewer line shall be designed and constructed as approved by the DEQ and in accordance with ordinances of the other applicable authorities. Language shall be included on the face of the Final Plat, which specifies that future tie-on to the public system is required and that the costs for such tie-on shall be the responsibility of the individual lot owners.
- c. Subdivisions that plan to utilize individual on-site sewage disposal systems must comply with the requirements of the Oklahoma Administrative Code, Title 252, Chapter 641.
- d. Several types of subsurface or above ground, on-site sewage disposal systems may be permitted. It is beyond the scope of these Subdivision Regulations to provide detailed instructions, designs, or specifications for any sewage disposal systems. The subdivider shall be responsible for obtaining the applicable regulations of the agency having jurisdiction and complying with the procedural and substantive requirements therein.
- e. All lots in the proposed subdivision shall meet the minimum lot size requirements of the Oklahoma Department of Environmental Quality for on-site sewage disposal systems. Refer to **APPENDIX B**. These minimum lot size requirements shall not be varied except by the agency having jurisdiction over the permitting of the proposed sewage disposal systems.

- f. The subdivider shall submit restrictive covenants with the preliminary subdivision plat application relative to the installation and use of individual on-site sewage disposal systems and/or connection to the public sanitary sewer system as provided in APPENDIX B.
- g. Developers of subdivisions wherein it is planned to initially use on-site sewage disposal systems shall comply with the regulations of Creek County and the DEQ.
- h. Alternative treatment systems may be constructed provided that a contract is entered into with a public entity approved and licensed to operate and maintain such an alternative treatment system, or that the continued maintenance and operation of such system is otherwise secured such as by Deed of Dedication and Restrictive Covenants as would be applicable in a PUD. Said systems and sewer collection system shall be designed and constructed in accordance with the duly adopted standards and specifications of the DEQ, Creek County and any other applicable authorities.

4.12 PUBLIC PARKS AND OPEN SPACES.

Residential subdivisions should preserve and provide open spaces, suitably located and of reasonable size for parks, playgrounds, play lots, playfields, or other recreational areas sufficient to serve the subdivision. The maintenance and upkeep of such areas shall remain the responsibility of the property owners in said subdivision and be secured by the mandatory membership of such owners in a homeowners association as required by a PUD or in the restrictive covenants.

4.13 RESERVE STRIPS.

- 1. A reserve strip is defined as a strip of land typically created by the owner to be privately retained to prevent, restrict, or otherwise control access to public utilities or streets.
- 2. Reserve strips are prohibited by these Subdivision Regulations and are not otherwise permitted to be created or held in such private control.

4.14 PAVED DRIVEWAY APPROACHES ONTO COUNTY MAINTAINED ROADS.

- 1. The fronting of residential lots with driveways onto County maintained roads less than 320 feet apart shall be avoided due to traffic safety concerns posed from such access to traffic on said section line or arterial roads and the ingress and egress from such residential drives.
- 2. In those cases where access is permitted from residential or other development, prior approval shall be required from the County Engineer or County Planner and the following requirements shall apply:

- a. All such approaches shall be paved, and shall not exceed a maximum width of 25 feet, and shall be constructed in accordance with the requirements of the Engineering Design Criteria, and the Standards and Specifications for Construction of Creek County;
- b. If and as necessary, a culvert pipe shall be provided that would pass the runoff from a 5-year rainfall event. In no case shall said culvert pipe be permitted to be less than 18 inches in diameter. The hydrological engineering for such a determination shall be performed at the cost of the private property owner and is subject to the approval by the County Engineer; and
- c. In those areas where a curb cut or driveway access is requested for a state or federal highway, evidence of approval from the applicable state or federal agency must be secured prior to requesting such approval from Creek County. Driveway approaches on the right-of-way of a state or federal highway, shall comply with the most restrictive of the requirements for construction as administered by Creek County, or the state, or the responsible federal agency.

4.15 HILLSIDE DEVELOPMENT.

The development of Hillside areas or any areas with a slope greater than eight (8) percent shall be designed to minimize grading and filling and in such a manner as to retain the maximum feasible amount of natural ground cover. Areas with slopes in excess of 20 percent shall be utilized as open space or developed as a Planned Unit Development in accordance with the applicable provisions of the Zoning Code and these Regulations.

SECTION 5. REQUIREMENTS FOR IMPROVEMENTS, INSPECTION AND BONDING.

5.1 INSTALLATION AND INSPECTION OF IMPROVEMENTS.

1. Following approval of the final construction plans, and prior to the final plat approval, the subdivider shall complete in a manner satisfactory to the County Engineer, all required improvements and said improvements shall be free and clear of all liens, claims and encumbrances.
2. Third party inspection of all improvements is required as follows:
 - a. Inspection shall be performed by a Professional Engineer licensed to practice in the State of Oklahoma or such others as licensed to inspect such improvements.
 - b. The selection of said inspector(s) shall be based on the approval of the Board of Commissioners of Creek County.
 - c. The costs of all such inspections shall be paid for by the subdivider, and all such costs shall be paid in full prior to the acceptance of said improvements by the County and prior to affixing of signatures to the final plat by the Planning Commission and Creek County Board of Commissioners.
 - d. The results of said inspections shall be periodically reported to the Creek County Engineer and/or the respective Creek County District Commissioner.

5.2 BONDING OF SUBDIVISION IMPROVEMENTS.

1. In lieu of completion of required public improvements, except for sidewalks as specified in Section 4.4, and prior to issuance of any building permit, or start of construction, the Board of County Commissioners shall require that the subdivider record an improvement guarantee with the County Clerk (approved and accepted by the Board of County Commissioners and approved as to form by the District Attorney) to assure the actual construction of improvements according to the plans and specifications approved by the County Engineer. All improvements shall be completed as required by these Regulations and Oklahoma Statutes within a period of time not to exceed two (2) years from the date of approval of the final plat by the Planning Commission and Board of County Commissioners. The Board of County Commissioners shall have the power to extend that deadline one (1) additional year where the subdivider can present valid reason(s) for such extension. (See also Appendix F and Section 5.4.)
2. All improvement guarantees shall be one of the alternative forms listed below and shall be in the amount of 125% of the estimated cost to construct the improvements as determined by the developer's engineer with concurrence of the County Engineer, or 100% of the actual bid cost to construct such improvements with County participation required in the bid process, and include all other guarantees and conditions satisfactory to the

County. No building construction shall be permitted nor utility service furnished on any lot which does not comply with these requirements.

3. Alternative forms of Improvement Guarantees shall be as follows:
- a. Surety Performance Bond. The subdivider shall obtain a surety bond from a surety bonding company authorized to do business in the State of Oklahoma. The bond shall be payable to the County, recorded with the County Clerk, and shall be in one of the amounts as specified above as estimated by a Professional Engineer licensed to practice in the State of Oklahoma and approved by the County Engineer for completing all required improvements; or
 - b. Escrow Account. The subdivider shall deposit cash or other instrument readily convertible into cash at face value, either with the County Treasurer or in escrow with a bank. The use of any instrument other than cash, and, in the case of an escrow account, the bank with which the funds are to be deposited shall be subject to the approval of the Creek County Board of Commissioners. The amount of the deposit shall be in one of the amounts as specified above as estimated by a Professional Engineer licensed to practice in the State of Oklahoma and approved by the City Engineer for completing all required improvements. The subdivider shall record with the County Clerk an agreement (approved and accepted by the Board of County Commissioners and approved as to form by the District Attorney) between the financial bank and said subdivider guaranteeing the following:
 - (1) That the funds of said escrow account shall be held in trust until released by the County and may not be used or pledged by the subdivider or bank as security in any other matter during that period; and
 - (2) That in the case of a failure on the part of the subdivider to complete said improvements, the bank shall immediately make the funds in said account available to the County for use in the completion of those improvements; and
 - (3) Funds deposited with the County Treasurer shall bear no interest during the term of the deposit; or
 - c. Letter of Credit. The subdivider shall provide from a bank or other reputable financial institution (subject to the approval of the Creek County Board of Commissioners) a letter of credit. This letter of credit (approved as to form by the District Attorney) shall be recorded with the County Clerk, and shall certify the following:
 - (1) That the creditor does guarantee funds in one of the amounts specified above as estimated by a Professional Engineer licensed to practice in the State of Oklahoma and approved by the County Engineer for completing all required improvements;

- (2) That in the case of failure on the part of the subdivider to complete the specified improvements within the required time period, the creditor shall pay to the County, immediately and without further action, the full amount of such funds as are necessary to finance the completion of those improvements, up to the limit of credit stated in the letter; and
 - (3) That this letter of credit may not be withdrawn, or reduced in amount until released by the Creek County Board of Commissioners.
- d. In the event that the subdivider is the principal on any delinquent corporate surety bond, the obligations of which have not been fulfilled, said subdivider shall be required to provide as surety, cash or a certificate of deposit for any improvement not installed and/or constructed by the subdivider prior to the recording of any other final plat.
 - e. It shall be the responsibility of the subdivider posting any form of improvement to guarantee to inform the Creek County Board of Commissioners through the County Planner when such obligations under said guarantee have been fulfilled and to request release from the terms and conditions of the posted improvement guarantee. The subdivider's obligation shall not be considered fulfilled until the Creek County Board of Commissioners has specifically released the subdivider from such obligation.
 - f. Any construction surety, regardless of form, shall be accompanied by a certified engineer's estimate, prepared by a Professional Engineer licensed to practice in the State of Oklahoma, certifying that the improvement guarantee amount is sufficient to cover 125% of the current cost of constructing the guaranteed improvement, except as specified in Section 5.2.2 above.
 - g. If any portion of the required improvements shall fail to be accepted for dedication within the allocated time period, either for reasons of incompleteness or for reason of substandard construction, the Creek County Board of Commissioners shall take the following action:
 - (1) Where improvements have been guaranteed under the provision of these Regulations, the Creek County Board of Commissioners shall declare whatever security has been pledged as a guarantee to be in forfeit.
 - (2) Where the Creek County Board of Commissioners is not already in possession of said guarantee, it shall immediately take the actions necessary to obtain it. Upon receipt of these securities, the County shall use them, or receipts from their sale if that be necessary, to finance the completion of required improvements or the rebuilding of such improvements to the proper specifications.
 - (3) Where improvement guarantees given under the provisions of these Regulations are about to expire and the improvements

guaranteed under such securities have been determined by the County Engineer to have been constructed in a substandard manner or have otherwise failed, the County shall require that the subdivider extend the period of the surety to allow such deficiencies to be remedied as per the terms of the original surety. The amount of the surety in such cases shall be based only on the deficiencies and be 125% of the estimated cost to remedy such deficiencies as determined by the County Engineer, or 100% of the actual bid cost to remedy such deficiencies.

- (4) Unused portions of these securities shall be returned to the subdivider, bonding company, or crediting institution, as is appropriate.

5.3 COMPLETION AND ACCEPTANCE OF PUBLIC IMPROVEMENTS.

1. At such time as the subdivider has completed the installation and construction of all required public utilities and improvements, the subdivider may apply for acceptance of all such improvements by the County.
2. The individual or legal entity responsible for causing a public improvement to be constructed shall make written request through the County Engineer that such public improvements be accepted by the County. Upon receipt of such notice, the developer's engineer, who must be a Registered Engineer licensed to practice in the State of Oklahoma, shall certify that he or she has made a final inspection of the improvements, and submit drawings attested with his/her seal certifying that said improvements have been constructed in accordance with the approved final construction plans.
3. Upon receipt of the written recommendations and findings of the County Engineer, to include receipt and approval of the required As Built Drawings, the Creek County Board of Commissioners may accept such improvements upon the finding that said improvements meet the requirements of these Regulations and all other conditions of approval have been satisfied (submission of maintenance bonds, As Built Drawings, etc.).
4. Upon completion of improvements or satisfaction of the purposes and requirements of the sureties, such sureties shall be released and notification of such release shall be given to the subdivider.
5. In addition to the requirement for certification by the developer's engineer, the results of the third party inspection by the designated agent of the County shall be considered as required by Section 5.1.

5.4 TIME LIMIT.

Prior to the granting of final plat approval, the subdivider and Creek County Board of Commissioners shall agree upon a deadline for the completion of all required improvements. The period within which required improvements must be completed shall be specified by the Creek County Board of Commissioners in the action approving the final subdivision plat and shall not exceed two (2) years from date of final approval, unless extended by the Planning Commission and approved by the Creek County Board of Commissioners for good cause.

5.5 VACATED PLATS.

Vacation of the plat as provided by Oklahoma State Statutes shall remove the obligation to construct such improvements.

SECTION 6. LOT-SPLIT PROCEDURES AND STANDARDS

6.1 AUTHORITY.

1. The Planning Commission, pursuant to the powers and jurisdiction vested through Title 19, Oklahoma Statutes, Section 866.13 and as required herein, does hereby exercise the power and authority to review, approve and disapprove divisions of land hereinafter referred to as lot-splits.
2. Reference must also be made to Section 1.17 Types of Subdivisions for a description of the types and requirements of these Regulations as they pertain to major subdivisions, minor subdivisions, and lot splits.

6.2 INTENT AND PURPOSE.

1. The regulations contained in this Section are intended to establish reasonable standards of design and procedures for lot-splits as defined in Section 8 of these Regulations in order to accomplish the policy and purposes set forth in Sections 1.3, 1.4, and 1.17 as they are applicable to lot-splits.
2. Planning Commission approval of lot-splits shall be based upon the following requirements:
 - a. All resulting lots shall comply with the provisions of the applicable "Flood Damage Prevention Ordinance" or related regulations;
 - b. All resulting lots shall have written approval from the Oklahoma Department of Environmental Quality (DEQ) for the sewage disposal system;
 - c. All resulting lots shall have access to public utilities by proper easement or other approved right-of-way;
 - d. All resulting lots shall have frontage upon a County maintained and dedicated road or receive approval of a modification from such road requirement from the Planning Commission and approval of a variance to the frontage requirement of the Zoning Code from the Board of Adjustment. Approval of waivers from the Planning Commission shall be based upon such lots being the product of previously filed deeds, property left as a result of previously filed deeds, or be splits involving strips of land left between filed deeds. Roads serving such lands shall have a minimum right-of-way of 60 feet. All paving and drainage must be contained within the street right-of-way. Such roads built after 1987 may not receive a waiver or variance to these requirements; and
 - e. All resulting lots shall meet the minimum bulk and area requirements of the zoning district in which they are located.

6.3 PROCEDURE.

The following procedure shall be required for processing lot-splits:

1. Application Form and Drawing. A complete lot-split application shall be filed with the Planning Commission Staff and the appropriate fee paid. The application is considered complete and may be accepted for processing by the Planning Commission Staff when it meets the following requirements and includes the following information:
 - a. The name(s), address(es), phone number(s) of the current owner or owners of record of the land to be subdivided.
 - b. The written consent of all owners of the subject property to the splitting of the property.
 - c. A complete legal description and Survey performed by a Professional Land Surveyor of the existing undivided lot of record and a legal description of each of the proposed lots shall accompany the application. Legal descriptions shall consist of Lot, Block, Subdivision Name, County, and State or a metes and bounds description of the perimeter of the property with all bearings expressed in degrees, minutes, and seconds and dimensions accurate to two decimal places or a description based on sectionalized land. Said legal description shall identify a point of beginning tied to a known corner of a section or fraction of a section.
 - d. One copy of a Survey depicting all existing and proposed lot lines with dimensions (and bearings if applicable), all existing buildings and improvements and their distances from lot lines, adjacent streets and street widths, existing access limitations, and a north arrow and scale.
 - e. The drawing should be limited to a maximum size of 11" x 17".
 - f. A deed or other instrument of conveyance demonstrating the status of the pre-divided and post-divided parcel relative to the definition of "Lot of Record".
2. Planning Commission Staff Review. In its review of lot-splits, the Planning Commission Staff shall:
 - a. Distribute copies of the application form and drawing to the appropriate officials, agencies, departments or utilities; and
 - b. Field check the subject area if and/or as needed.
3. Lot-Splits Requiring Planning Commission Staff Review Only. Where review by the Planning Commission Staff reveals that a lot-split meets all approved requirements and definitions as set forth in these Regulations, and all proposed lots are adequately served by utilities either by easement or in public streets, the Creek County Planner may grant "Prior Approval" of the lot-split and the Planning Commission may ratify the approval at the next Planning Commission meeting.

6.4 CERTIFICATE OF APPROVAL.

1. Planning Commission approval shall be shown by certification on the instrument of transfer as required by Oklahoma State Statutes. The Planning Commission Chairperson or the Creek County Planner, or such other Officer of the Planning Commission as designated by such Chairperson shall sign the certification.
2. Upon having said written approval by the Planning Commission affixed to this instrument of transfer, the subdivider may then file the instrument with the County Clerk, such approval being an official document that will be contained in the abstract of the property being split.

6.5 APPROVAL GUIDELINES.

Approval or disapproval of lot-splits shall be based upon the requirements of the applicable paragraphs in Section 4 of these Regulations along with the following guidelines:

1. Lots.
 - a. Lot dimensions shall conform to the Zoning Code and shall meet the requirements set forth in Section 4.6 of these Regulations.
 - b. In the case of lots not served by public sanitary sewers and/or public water, such lots shall be of sufficient area to properly accommodate a suitable private sewage disposal system and otherwise meet the requirements of the DEQ and Section 6.5.4 below.
 - c. Corner lots or double frontage lots should have such extra width and area beyond the minimum requirements for other lots as may be necessary to permit appropriate setbacks on both streets while insuring that adequate buildable space remains.
2. Easements and Utilities. Where a lot-split will result in a lot having inadequate access to utility easements, dedication of easements shall be required in accordance with the requirements of these Regulations and the applicable utility providers. Requirements for easements and/or utility extensions shall be considered as a basis for requiring the application to be submitted as a Minor Subdivision in accordance with these Regulations.
3. Access and Streets.
 - a. Where a tract to be split is controlled by non-access provisions, no lot shall be approved where such provision will preclude access for said lot.
 - b. The splitting of land shall provide each lot with access to a County maintained road, so that the convenience of the lot owner or user is assured, as well as the layout of utilities, garbage and waste removal, fire protection and public health and safety is thereby adequately provided for.

- c. Where land to be split contains within its boundaries areas designated for street right-of-way on the Major Street Plan, the split shall not be approved where street right-of-way fails to conform to said Plan except upon a finding that:
 - (1) All utilities are in place and the additional right-of-way is not required for utility placement;
 - (2) The public has, by virtue of statutory right-of-way or statutory easement or suitable roadway dedication, right-of-way sufficient to allow the placement of pavement of a width necessary to meet the standards of the Major Street Plan for the particular street involved; and
 - (3) Development made possible by the split itself will not measurably increase the burden of traffic on an adjacent street to such an extent that it would adversely affect the health, safety, and welfare of the public; or
 - (4) In the judgment of the Planning Commission, and subject to final approval by the Creek County Board of Commissioners, existing structures which cannot be reasonably required to be removed lie in the existing or proposed right-of-way and alignment proposed by the Major Street Plan, and said structures preclude the construction of the planned street.

4. Sewage Disposal.

- a. Where a tract to be split abuts a public sanitary sewer, no split shall be approved until or unless the approval of the applicable water or sewer authority or other appropriate agency is obtained, and the water or sewer is extended as required in these Regulations.
- b. Within the subject area of Creek County that is not served by sanitary sewer within 500 feet of the nearest property line, the regulations for subdivisions shall apply for lots that plan to utilize on-site systems, and connection to the public sewer collection system is not required. However, provisions for such connection shall be required as provided in Section 4.11 of these Regulations.
- c. Lot size requirements shall be the same as those for subdivisions provided that an exception to lot size may be granted upon concurrence of the DEQ, if all lots created have existing structures and the lot-split does not, in effect, change the density. Proper documentation (evidence of an instrument as recorded in the office of the Creek County Clerk) of the foregoing circumstances must be provided showing transfer of ownership of the subject lot or parcel prior to January 1, 1974.
- d. Prior to start of construction, a sewage disposal system approved by the DEQ shall be required for each lot created as required for subdivisions. (See also Section 4.11 and Appendix B).

5. Public Water Supply

A public water supply serving each lot may be required as provided for in the regulations of the DEQ and Creek County.

6. Paved Driveway Approaches and Driveway Culverts.

As conditions of approval of all lot-splits and as a requirement of access to the adjoining paved County maintained road, the driveway approach from the edge of the improvement of the road to the private property line shall be paved to the minimum standard established by these Regulations and other applicable standards. A culvert pipe, a minimum diameter of 18" or such larger diameter pipe as determined by the County as shall be required to pass the runoff from a 100-year rainfall event, shall be installed by the private property owner.

6.6 EXEMPTIONS FROM THE LOT-SPLIT REQUIREMENT.

The following shall be exempt from the Lot-Split requirement of these Regulations:

1. Land divisions which cause the creation of two (2) tracts, either one of which will be conveyed unto a public receiving body, including the *Department of Transportation of the State of Oklahoma*, the *Oklahoma Turnpike Authority*, *Creek County*, or any *municipally incorporated city or town* of the State of Oklahoma, and will be used as public right-of-way for public roads, streets, highways, railroads, or for facilitating other such public infrastructural needs, shall be exempt from the Lot Split requirement of these Regulations, in accordance with the following provisions:
 - a. The tract of land which is conveyed unto the public receiving body shall not require certification on the instrument of transfer.
 - b. Prior to its first conveyance, the tract of land which is retained by the private property owner shall be submitted to the Planning Commission Chairperson or the Creek County Planner, or such other Officer of the Planning Commission as designated by such Chairperson, who shall sign certification that such tract is exempt from the Lot-Split requirement. The officer shall review and confirm that such land complies with applicable Zoning regulations, and for this purpose may require evidence and application and an application review fee, as established by the adopted fee schedule. Upon having said written approval by the Planning Commission affixed to this instrument of transfer, the owner may then file the instrument with the County Clerk, such certification being an official document that will be contained in the abstract of the property.

2. Land divisions caused pursuant to the order of a court of competent jurisdiction, when such order specifically approves the Lot-Split or exempts such land division from Lot-Split approval.

3. New tracts of land caused by the combination of two (2) or more smaller tracts of land, when such new parcels would contain less than ten (10) acres, provided that the new tract of land does not exceed the total perimeter of the pre-combined smaller tracts.

SECTION 7. CHANGE OF ACCESS PROCEDURES AND STANDARDS

7.1 AUTHORITY.

The Planning Commission, pursuant to the powers and jurisdiction vested through Title 19, Oklahoma Statutes, Section 866, does hereby exercise the power and authority to review, approve and disapprove changes to the limits of access and limits of no access recorded on subdivision plats (including major subdivisions, minor subdivisions, or lot-splits) hereinafter referred to as Change of Access.

7.2 INTENT AND PURPOSE.

The regulations contained in this Section are intended to establish reasonable standards of design and procedures for lot-splits as defined in Section 8 of these Regulations in order to accomplish the policy and purposes set forth in Sections 1.3 and 1.4, as they are applicable to lot-splits.

7.3 PROCEDURE.

The following procedure shall be followed in processing Changes of Access:

1. Applicant should review the proposed changes with the County Engineer, as applicable, prior to preparing the forms. A detailed site plan showing present and proposed curb cuts, buildings, drives, parking areas, etc. should be prepared for this discussion.
2. Application form and Drawing. Three (3) copies of a Change of Access application form and supporting documents shall be filed with the Planning Commission Staff and the appropriate fee paid in accordance with the following requirements:
 - a. Prepare a precise exhibit on 8 1/2" x 11" paper depicting the existing recorded access limits and the proposed access change;
 - b. Obtain the plat name and number from the office of the County Clerk;
 - c. Complete the document titled, "CHANGE OF AND CONSENT TO AREAS OF ACCESS AS SHOWN ON RECORDED PLAT" which is available from the office of the Planning Commission Staff, sign and notarize the document taking care to use the proper acknowledgment from (individual or Corporate);
 - d. Complete the application form, which is available from the Planning Commission Staff;.
 - e. Obtain the County Engineer's approval and signature of the final documents before submitting to the Planning Commission Staff; and

- f. Submit three (3) copies of the completed application and supporting documents with original signatures and acknowledgments, along with the filing fee, to the offices of the Planning Commission Staff.
3. Planning Commission Staff Review and Submittal to the Planning Commission. Upon receipt of a completed application, the Planning Commission Staff shall:
 - a. Review the submittal for completeness;
 - b. Review the zoning and subdivision records on file at the Planning Commission offices to determine conformance with the current requirements; and
 - c. Place the item on the next available Planning Commission agenda for approval and signature.
4. Planning Commission Approval. Where review by the County Engineer and the Planning Commission Staff reveals that a Change of Access meets all approved guidelines herein set forth, the Planning Commission shall approve the Change of Access at the next available Planning Commission meeting. Final approval is required by the Creek County Board of Commissioners unless otherwise specified by said Board.

7.4 EVIDENCE OF APPROVAL.

1. Approval shall be shown by two (2) signatures on the document titled, "CHANGE OF AND CONSENT TO AREAS OF ACCESS AS SHOWN ON RECORDED PLAT." The required signatures will be by the County Engineer, as applicable, and one of the following:
 - a. Chairperson, Vice-Chairperson or other officer of the Planning Commission; or
 - b. The Creek County Planner.
2. The Planning Commission Staff will return the original documents to the applicant with evidence of approval to the applicant. The applicant may then file the instrument with the County Clerk, the approval being an official document that will be contained in the abstract of the property.
3. The applicant shall return a copy of the filed instrument to the Planning Commission Staff.

7.5 APPROVAL GUIDELINES.

1. Approval or disapproval of Changes of Access shall be based upon the current County standards for driveway locations, width, spacing from other driveways, and all other applicable standards in effect at the time of approval; and
2. Approval or disapproval shall be based on conformance of the proposal with all applicable zoning requirements, including approved Planned Unit Developments, or any other special zoning or Subdivision Regulations in effect at the time of approval.

SECTION 8. DEFINITIONS

Abutting: For the purposes of providing notice, abutting shall mean contiguous or separated therefrom only by a non-arterial street.

Alley: A minor right-of-way dedicated for public use which gives a secondary means of vehicular access to the back or side properties otherwise abutting a street, and which may be used for public utility purposes, but is not intended for general traffic circulation.

All-Weather Material: A hard surface, dust-free material capable during ordinary use of withstanding normal weather conditions without substantial deterioration. Gravel, rock, or screenings alone, without use of a petroleum or cement binder, does not meet the definition of an all-weather, dust-free material.

Annexation Fenceline: An incorporated strip of land, typically a minimum of 20 feet in width or as otherwise prescribed by Oklahoma State Statutes, delineating the future growth area of a city or town.

As Built Drawings: The drawings as issued for construction on which the developer's engineer, upon completion of the work and subject to approval and acceptance of the County Engineer, has shown changes due to addenda or change orders and other information based on record documents furnished by the contractor and/or inspector to said engineer and which were annotated by the contractor to show changes made during construction. Further, upon completion of the improvements, and prior to acceptance of said improvements by the Creek County Board of Commissioners, said developer's engineer shall affix thereto his or her seal attesting to the accuracy and completeness of such improvements and drawings and provide the County with the required number of complete sets.

Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, a railroad right-of-way, shoreline of a waterway, or boundary line of a municipality.

Board of Commissioners: The Board of Commissioners of Creek County.

Collector Street: See, "Street Collector."

Comprehensive Plan: The master plan for the physical development of Creek County as prepared and adopted by the Sapulpa Metropolitan Area Planning Commission, and approved by the Creek County Board of County Commissioners pursuant to 19 O.S. 866.1 - 866.36 and subsequent amendments thereto, and includes any part of such Plan.

Construction Plans: The maps or drawings prepared by a Professional Engineer licensed to practice in the State of Oklahoma accompanying a preliminary and final subdivision plat and showing the specific location and design of improvements to be installed as a condition of approval of a plat in the subdivision in accordance with the requirements of the Creek County Engineer based on the Creek County Subdivision Regulations, Engineering and Design Criteria, and Specifications and Standards for Construction.

County: Creek County, Oklahoma.

County Road: Shall be a road maintained by Creek County.

County Clerk: The Clerk of Creek County, Oklahoma.

County Commissioner: A County Commissioner of Creek County, Oklahoma.

County Engineer: The Engineer of Creek County, Oklahoma, as designated by the Creek County Board of County Commissioners.

County Planner: The Planner of Creek County, Oklahoma, as designated by the Creek County Board of Commissioners.

Cul-De-Sac: See, "Street, Cul-De-Sac."

Deeds of Dedication: The instrument(s) of public record by which specified interests in land are described and conveyed to the public and by which the formalities prerequisite to the recording of a subdivision plat or other similar instrument are set forth and which may, though not required to do so, set forth private covenants or restrictions establishing requirements for buildings, construction, use, or other such conditions of the subject land. It is required that the development standards of a Planned Unit Development and other similar standards be shown and included in the Deeds of Dedication on the face of the Preliminary and Final Plat.

DEQ: The Oklahoma Department of Environmental Quality.

Detention Facility: A facility for the collection or storage of stormwater for subsequent discharge at a rate that is less than the rate of inflow.

Development: Any man-made change in improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Easement: A grant of one or more of the property rights by the property owner to the public, a corporation, or other persons for the use of land for specific purposes.

Engineering Department: Shall mean the Engineering Department of Creek County.

Engineering Design Criteria: The criteria adopted by the Creek County Board of Commissioners that establishes minimum criteria for engineering design and construction of infrastructure and other improvements related to the development of subdivisions.

Floodplain or Flood-Prone Area: Any land area susceptible to being inundated by water from any source, such as the area adjoining the channel of a river, creek, stream or watercourse, or lake or any other body of standing water which may from time to time be covered by floodwater. The floodplain areas shall be those as described and delineated on maps contained within the offices of the County Planner. See, "Flood or Flooding."

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters; or

2. The unusual and rapid accumulation or runoff of surface waters from any source.

Frontage: That dimension of a lot abutting a street right-of-way to which access is available from said lot.

Governing Body: Unless otherwise clearly specified, shall mean the Board of County Commissioners of Creek County.

Grade: The slope of a road, street or other public way, specified in percent (%) of vertical to horizontal measurements.

Half-Mile-Line: The north-south or east-west line, which bisects a one square mile section of land.

Health Department: The Oklahoma Department of Environmental Quality (DEQ).

Jurisdiction: See, "Territorial Jurisdiction."

Lot, Lot of Record: A tract, plot or portion of a subdivision or other parcel which is part of a subdivision, the plat of which has been recorded in the office of the County Clerk of the County in which the lot is located or a parcel of land, the deed of which is recorded in the office of the County Clerk of the County in which the parcel is located. A Lot, or Lot of Record is further classified as follows:

1. An unplatted parcel of land which was filed of record by distinct instrument in the office of the Creek County Clerk prior to October 21, 1986; or
2. Any whole lot as shown on a subdivision plat properly filed of record in the office of the Creek County Clerk prior to October 21, 1986; or
3. Any whole lot shown on a subdivision plat properly filed in the office of the Creek County Clerk prior to October 21, 1986, which plat has shown on its face the approval of the Planning Commission.

Lot, Double Frontage: A lot which runs through a block from street to street and has frontage on two (2) or more streets, as distinguished from a corner lot.

Lot, Key: A lot having a side lot line abutting the rear lot line of another lot.

Lot, Reverse Frontage: A corner lot of such size and shape that a building erected on it might logically be designed to face on either adjoining street, thus causing it to rear on the side lot line of an abutting lot.

Lot-Split: Any subdivision containing not more than two (2) lots, any portion of which has an area of less than ten (10) acres that has frontage on an existing street, not involving any new street or road, or the extension of public facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Major Street Plan, Zoning Code, or these Subdivision Regulations.

Major Street: See, "Street, Major."

Major Street Plan: The street plan and part of the Comprehensive Plan, which relates to the location and standards for design and right-of-way for streets and highways, and includes such standards for local and minor streets.

Minor Street: See “Street, Minor.”

Minor Subdivision: Any subdivision containing not more than four (4) lots, any portion of which has an area of less than ten (10) acres that does not have frontage on an existing street, requires a new street or road, the extension of public facilities, the creation of any public improvements, and that could adversely affect the remainder of the parcel or adjoining property. Minor Subdivisions shall not be in conflict with any provision or portion of the Comprehensive Plan, Major Street Plan, Zoning Code, or these Subdivision Regulations.

Open Space: Space on the ground, which is not built upon or otherwise improved to an impervious state (such as for buildings, drives or walkways) and which is maintained for active or passive recreational or buffer type uses.

Planned Unit Development (PUD): A discretionary type of development as further defined by the Creek County Zoning Code for a tract of land under single ownership or control, based upon the underlying zoning and a development plan approved by the Creek County Board of County Commissioners after a hearing and review by the Planning Commission permitting flexibility of principal land uses, lot sizes and accessory uses not otherwise available under conventional zoning and the related development standards.

Planning Commission: The Sapulpa Metropolitan Area Planning Commission (SMAPC) or said Planning Commission having such jurisdiction as determined by the Creek County Board of Commissioners.

Planning Director: The Administrative Official, also referred to as the County Planner, so designated by the Creek County Board of County Commissioners to administer the Subdivision Regulations and Zoning Code and other development related regulations in the unincorporated areas of Creek County under the jurisdiction of the Planning Commission, or the Administrative Official so designated by the City of Sapulpa to administer these Subdivision Regulations in the incorporated areas under the jurisdiction of the Planning Commission referred to in the City as the Urban Development Director.

Plat, Final: A map or chart of land subdivision prepared in accordance with these Subdivision Regulations in a form suitable for filing in the office of the County Clerk, including necessary affidavits, dedications, and acceptances, and containing a complete engineering description including references to field markers sufficient to locate on the ground all streets, alleys, blocks, lots, and other elements of the subdivision.

Plat, Preliminary: A map or chart of a proposed land subdivision prepared in accordance with these Subdivision Regulations showing the concept, character, and general details of the proposed development.

Plat, Sketch: A map or chart of a proposed land division prepared after a pre-application conference in accordance with these Subdivision Regulations showing the general layout of streets and reservations of land, street improvements, drainage, water and sewerage, floodplains, the availability of existing utilities and other related information.

Professional Engineer: A professional engineer registered and licensed to practice in the State of Oklahoma.

Professional Land Surveyor: A land surveyor registered and licensed to practice in the State of Oklahoma.

Quarter-Mile Line: A north-south or east-west line that bisects the north, south, east or west half of the section.

Record Drawings: See, "As Built Drawings."

Required Improvement: An improvement required by the Planning Commission in accordance with these Subdivision Regulations, the Engineering Design Criteria, and the Standard Specifications for Construction as a condition for approval of the plat.

Reserve Area: An area or part of a plat identified on the face of the plat and set aside for open space, park land, stormwater detention or similar purposes which are specified on the face of the plat. The title, ownership and responsibility for maintenance of Reserve Areas shall remain with the subdivider until or unless conveyed to a homeowners association or accepted by the governing body. Said owner shall grant to the governing body a perpetual easement for utilities and other public purposes as specified in the covenants or deeds of dedication. The governing body shall have no liability for any damage to any private improvements occasioned by the maintenance or reconstruction of utilities or infrastructure located in the Reserve Area.

Reserve Strip: A strip of land typically created by the owner to be privately retained to prevent, restrict, or otherwise control access to public utilities or streets. Such strips are not permitted to be in private control or ownership in accordance with these Subdivision Regulations.

Restrictive Covenants: An agreement of public record that restricts the use or occupancy of real property and sets forth a formal binding agreement that runs with such land and binds future land owners, his or her successors, or assigns to such agreements.

Right-of-way: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electrical and communication services, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for other special use. The usage of the term "right-of-way" for purposes of other than the platting of land shall mean that every right-of-way thereafter established and shown on the final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees, or otherwise involving construction or maintenance by a public agency shall be dedicated to the public use by the maker of the plat on which such right-of-way is established. All such dedications are subject to the final approval and acceptance by the Creek County Board of County Commissioners.

Secretary: The Secretary of the Planning Commission being the designee of the Planning Commission. The Planning Director may serve as such recording secretary for such purposes as minutes as designated by the Planning Commission.

Setback: The distance, existing or planned, between a building and the nearest property line on a street right-of-way.

Standard Specifications for Construction: The specifications acting in conjunction with the Engineering Design Criteria adopted by the Creek County Board of County Commissioners for regulating the nature, extent, dimensions, construction, and financing of improvements in subdivisions. Where the County has elected to participate in an agreement with an incorporated place to allow said place to exercise extraterritorial subdivision jurisdiction, such specifications shall include a map showing the extent of such jurisdiction. These Specifications may also be referred to as the "Construction Standards."

Street: A public way or private right-of-way as provided for by Oklahoma State Statutes, that affords the primary means of access to abutting property or serves as a thoroughfare for vehicular traffic or both, but excludes alleys. See also Section 4.2 of these Regulations for further information on Streets. The following street classifications are established in Creek County and recognized by the Comprehensive Plan, the Major Street Plan and these Subdivision Regulations:

Street, Arterial/Section Line Road: A street designated on the Major Street Plan that carries a significant portion of interurban vehicle traffic at moderate speeds with some traffic stops. See also "Street, Primary Arterial." "Street, Secondary Arterial," or "Street, Secondary Arterial Alternate."

Street, Border: A street located adjacent to a railroad, drainage way, park, open space area or limited access highway.

Street, Collector: A street designated on the Major Street Plan that is intended to move traffic from minor streets to arterial streets, including the principal entrance and circulation street or streets of a development.

Street, Commercial Business: A category of trafficway that provides circulation within commercial business districts and areas.

Street, Commercial Collector/Industrial Collector: A category of trafficway that provides circulation to and from commercial and industrial areas to connect to major streets or highways.

Street, Commercial/Industrial: A category of trafficway that provides circulation within commercial and industrial areas.

Street, Cul-de-sac: A minor local street with only one outlet and having a terminus for the safe and convenient reversal of traffic movement including all emergency and service vehicles, and a maximum length from the entrance to the center of the turn-around.

Street, Frontage or Service: A minor street auxiliary to and located on the side of a major street for service to abutting properties and adjacent areas and for control of access.

Street, Major: Highways, arterials (primary, secondary and section line roads), and collector streets shown on the Major Street Plan.

Street, Marginal Access: A street that serves development that may front an existing or proposed arterial street.

Street, Minor (Local): Any trafficway of limited length not classified on the Major Street Plan that provides direct access to abutting tracts of land and access to more heavily traveled streets, and that is designed in such a manner to discourage its use by through traffic.

Street, Primary Arterial: A thoroughfare designated on the Major Street Plan that carries a significant portion of interurban vehicular traffic at a moderate rate of speed.

Street, Secondary Arterial or Street, Secondary Arterial Alternate or Section Line Roadway: A thoroughfare designated on the Major Street Plan that carries a significant portion of interurban vehicular traffic having some traffic stops.

Subdivider: Any person, firm, partnership, corporation, or other entity, acting as a unit, subdividing or proposing to subdivide land as herein defined.

Subdividing: The dividing of land into two (2) or more lots, parcels, tracts, or areas, any one (1) of which when divided has an area of less than ten (10) acres, or any dividing of land involving the vacating or dedicating of right-of-way or the alignment of an existing or proposed street or highway or public utility easement, or the resubdividing of land heretofore divided into lots, sites, or parcels, whether such dividing or resubdividing is by means of a map or plat or metes-and-bounds descriptions.

Subdivision: A tract of land that has been subdivided or is proposed to be subdivided.

Subdivision Regulations: The Subdivision Regulations adopted by the Creek County Board of County Commissioners.

Territorial Jurisdiction: The area within which the Planning Commission has jurisdiction over the subdividing of land, as provided by **19 O.S. Section 866**, as amended. Said area consists of those parts of Creek County for which the Planning Commission has adopted and the Board of County Commissioners of Creek County has approved a Comprehensive Plan (including a Major Street Plan), and/or zoning districts and classifications.

Town: A term describing a specific incorporated place, found within Creek County as defined by Oklahoma State Statutes.

Town Board of Trustees: The Board of Trustees of a specific Town found within Creek County.

Way: Any street, avenue, parkway, highway, boulevard, road, or alley reserved and/or dedicated for public or private use chiefly by vehicular or pedestrian traffic.

Zoning Code: The Zoning Code and amendments thereafter adopted by the Creek County Board of County Commissioners.

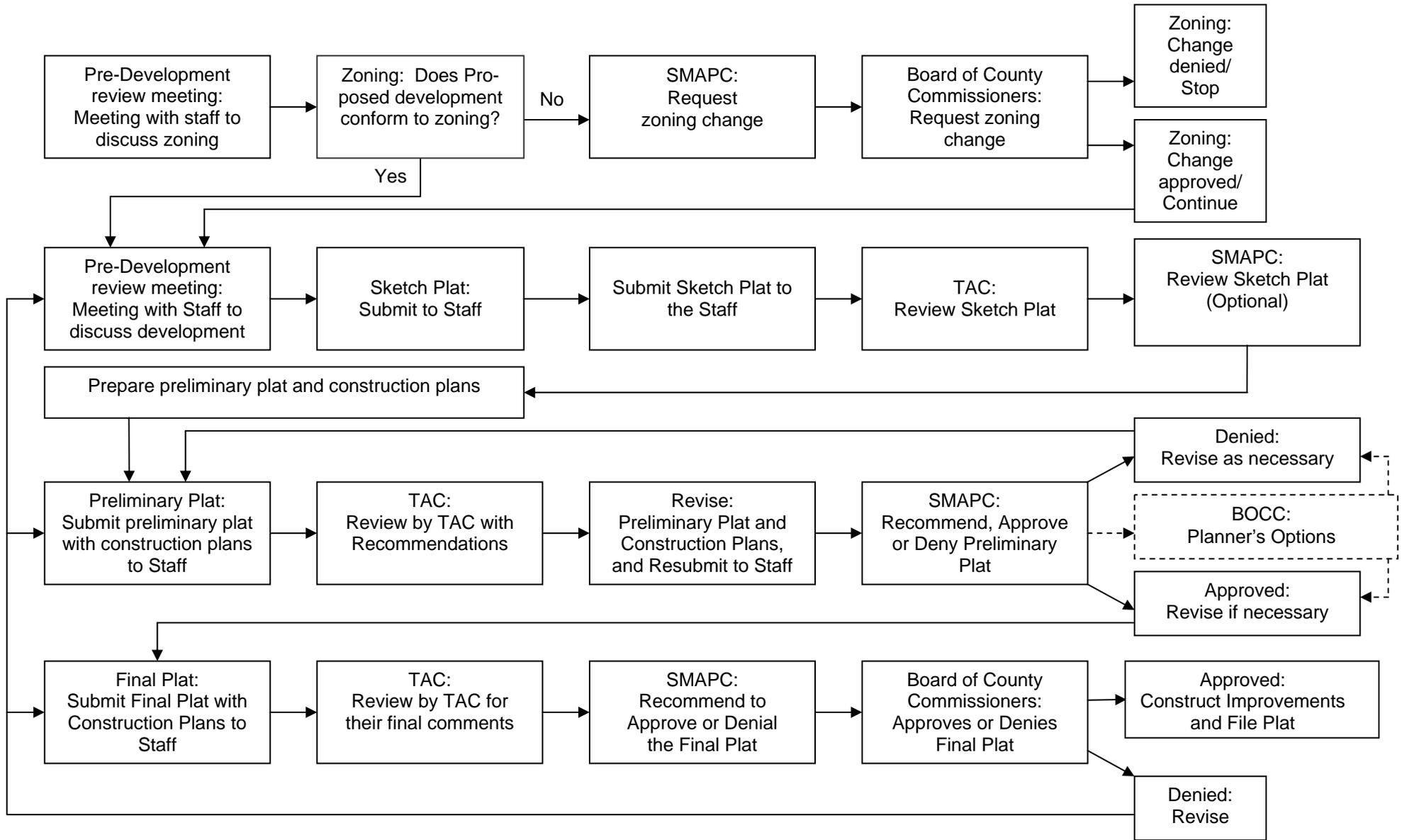
LIST OF ILLUSTRATIONS

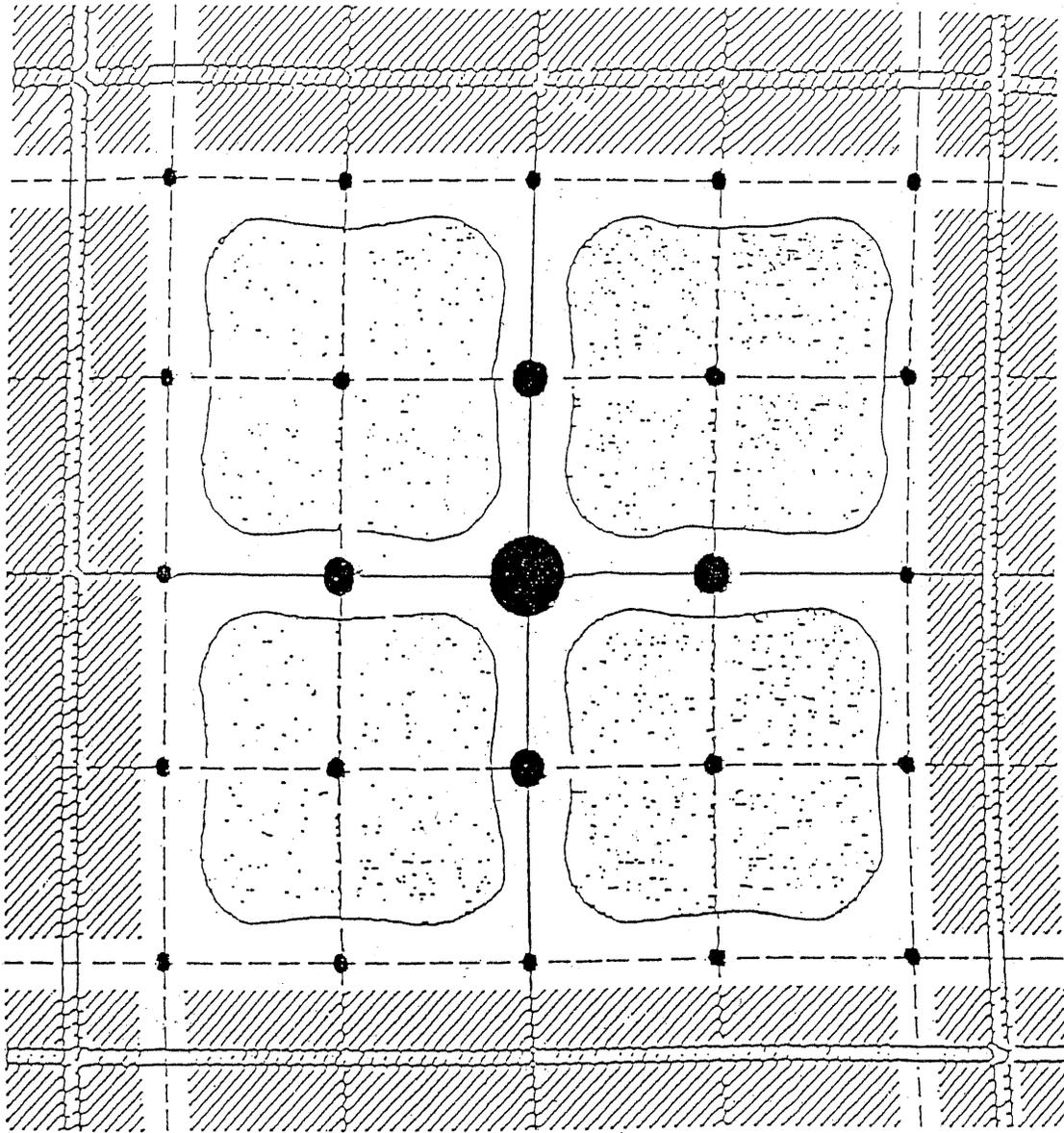
THE FOLLOWING ILLUSTRATIONS ARE INCLUDED IN THE CREEK COUNTY, OKLAHOMA SUBDIVISION REGULATIONS AND ARE SHOWN ON THE PAGES THAT FOLLOW:

- FIGURE 1.** DEVELOPMENT REVIEW AND PROCESSING
- FIGURE 2.** DEVELOPMENT DISTRICT CONCEPT
- FIGURE 3.** NEIGHBORHOOD CONCEPT
- FIGURE 4.** PROPOSED SUBDIVISION SITE
- FIGURE 5.** SKETCH PLAT
- FIGURE 6.** PRELIMINARY PLAT
- FIGURE 7.** FINAL PLAT
- FIGURE 8.** PLANNED UNIT DEVELOPMENT
- FIGURE 9.** BORDER STREETS
- FIGURE 10.** OPEN SPACE

List of Illustrations

FIGURE 1. DEVELOPMENT REVIEW AND PROCESSING
Creek County, Oklahoma

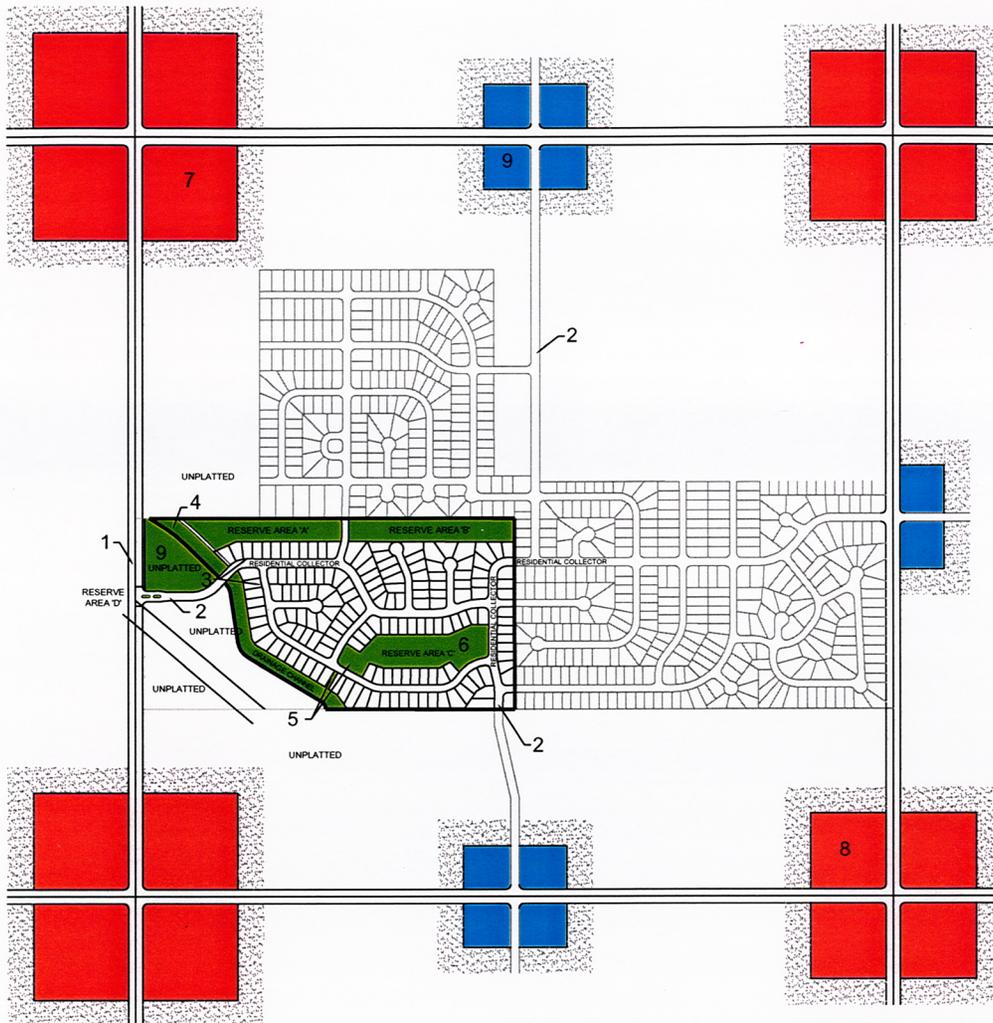




LEGEND:

- | | |
|--|--|
|  Intensity Corridor |  Freeway |
|  Intensity Nodes |  Primary Arterial |
|  Subdistrict |  Secondary Arterial |

FIGURE 2. DEVELOPMENT DISTRICT CONCEPT



THE NEIGHBORHOOD CONCEPT, AS SCHEMATICALLY ILLUSTRATED, REPRESENTS A DESIRABLE ORGANIZATION OF THE PRIMARY ELEMENTS OF A NEIGHBORHOOD

1. Arterial streets bound typical neighborhoods.
2. Residential collector streets link local residential streets to arterials.
3. Access to residential property is localized, whenever possible, on local residential streets.
4. Open space provisions are related to significant natural features and form a part of an overall open space system.
5. Platting of sub-neighborhood areas is designed to provide small play areas and pedestrian connections to other neighborhood and community facilities.
6. Elementary schools centrally located on the residential collectors and sited so as to extend or relate to the open space system.
7. Major commercial activities located at primary arterial intersections.
8. Neighborhood or local commercial activities located at secondary arterial intersections.
9. Public facilities, such as churches, located on periphery at collector and arterial streets.

FIGURE 3. NEIGHBORHOOD CONCEPT

CREEK ESTATES II

FLOOD INFORMATION:
NO FLOOD HAZARDS ARE LOCATED ON
THIS PROPERTY AS ILLUSTRATED ON
FIRM PANEL 400146 0605 C
DATED 12-15-1994



**CREEK ESTATES II
EXISTING TOPOGRAPHY**

LEGEND:

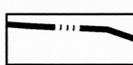
-  Topography
-  Vegetation
-  Creeks and Water

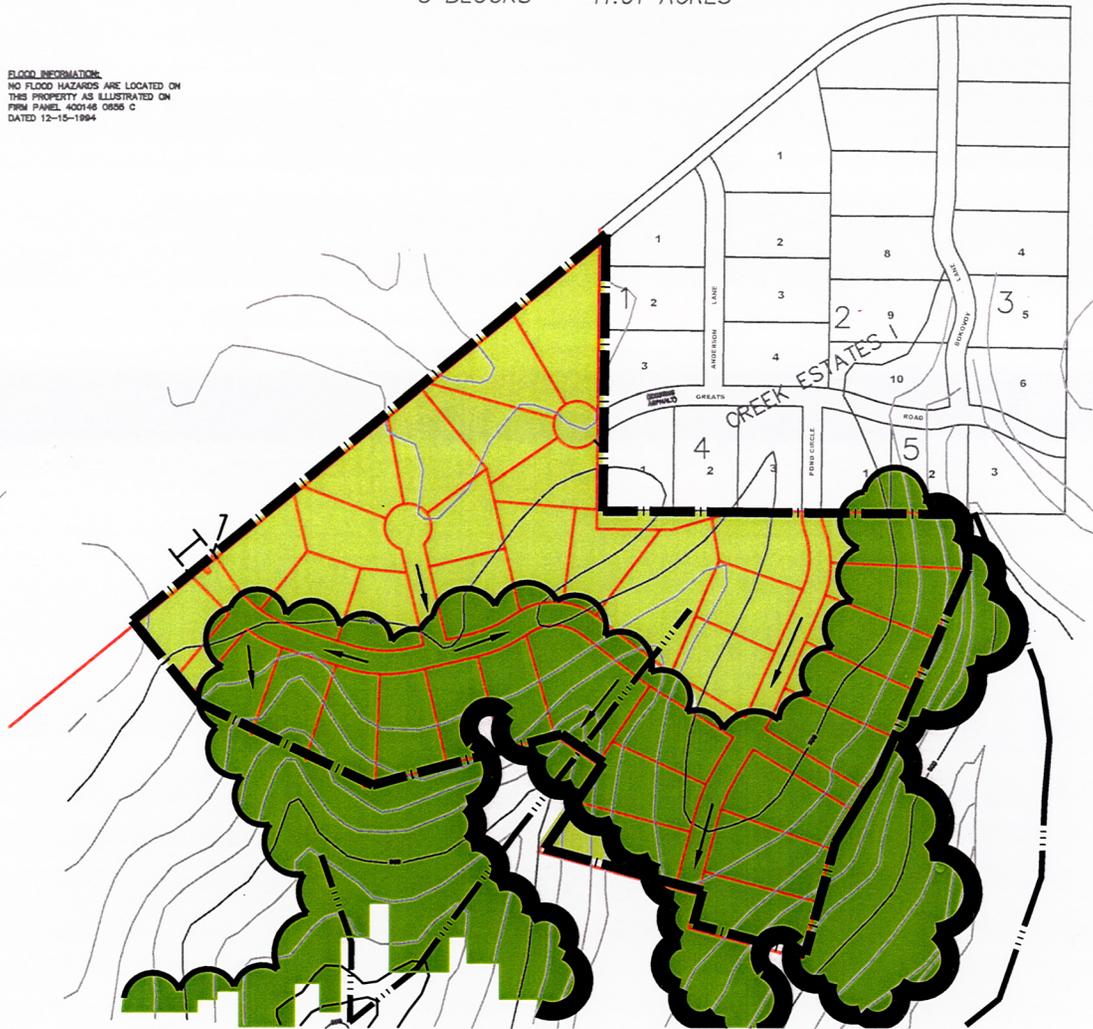
FIGURE 4. PROPOSED SUBDIVISION SITE

CREEK ESTATES II

36 LOTS
5 BLOCKS

2 RESERVES
41.01 ACRES

FLOOD INFORMATION:
NO FLOOD HAZARDS ARE LOCATED ON
THIS PROPERTY AS ILLUSTRATED ON
FIRM PANEL 420148 0835 C
DATED 12-15-1994



CREEK ESTATES II SKETCH PLAT

This is an example of a sketch plat. A sketch plat is a map or chart of a proposed land division prepared after a pre-application conference in accordance with these Subdivision Regulations showing the general layout of streets, utilities, reservations of land, watercourses, drainage and detention areas, floodplains, the availability of existing utilities and other related information.

The plat has been designed to fit topographic and other site conditions and is superimposed over a drawing showing significant natural site features. Topography on a sketch plat is shown at ten (10) foot intervals. The review of the sketch plat during the platting process can save later time and expense on the part of the developer by revealing difficulties early in the subdivision process.

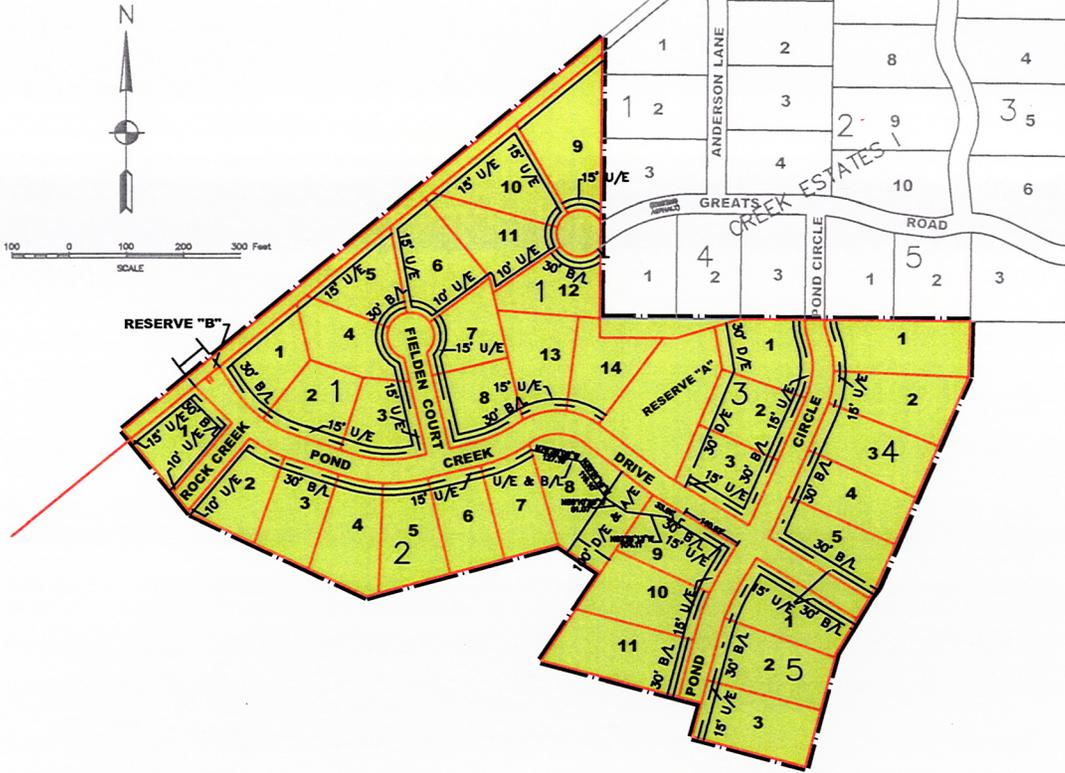
FIGURE 5. SKETCH PLAT

CREEK ESTATES II

U/E UTILITY EASEMENT
 B/L BUILDING LINE
 R/W RIGHT-OF-WAY
 E/S EACH SIDE
 A/E MUTUAL ACCESS EASEMENT
 L/A/LA LIMITS OF NO ACCESS
 D/E DRAINAGE EASEMENT

36 LOTS
 5 BLOCKS
 2 RESERVES
 41.01 ACRES

FLOOD INFORMATION:
 NO FLOOD HAZARDS ARE LOCATED ON
 THIS PROPERTY AS ILLUSTRATED ON
 FIRM PANEL 400148 0600 C
 DATED 12-15-1994



CREEK ESTATES II PRELIMINARY PLAT

A preliminary plat is the next step in the platting process following the preapplication conference and sketch plat. The preliminary plat is a map of a proposed land subdivision prepared in accordance with these Subdivision Regulations showing in much greater detail the character and design of the proposed development.

The preliminary plat application requires submittal of the preliminary plat drawing, preliminary construction plans, and the proposed Deed of Dedication and Covenants. The plat map includes the street layout, dimensioned lot lines, easement and right-of-way width, other street and utility information shown in plan and profile view, the location and recording reference number of any existing easements, the location of oil and gas wells or pipelines, the location of regulatory floodplains, hydrological information, proposed stormwater detention areas and reserves, topography shown at two (2) foot intervals, and the proposed dedications and certifications by the developer/owner.

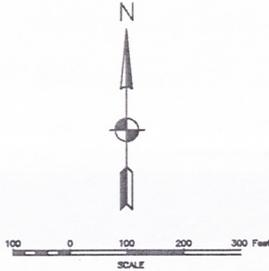
FIGURE 6. PRELIMINARY PLAT

CREEK ESTATES II

U/E UTILITY EASEMENT
 B/L BUILDING LINE
 R/W RIGHT-OF-WAY
 E.S. EACH SIDE
 A/E MUTUAL ACCESS EASEMENT
 L/A LIMITS OF NO ACCESS
 D/E DRAINAGE EASEMENT

36 LOTS
 5 BLOCKS
 2 RESERVES
 41.01 ACRES

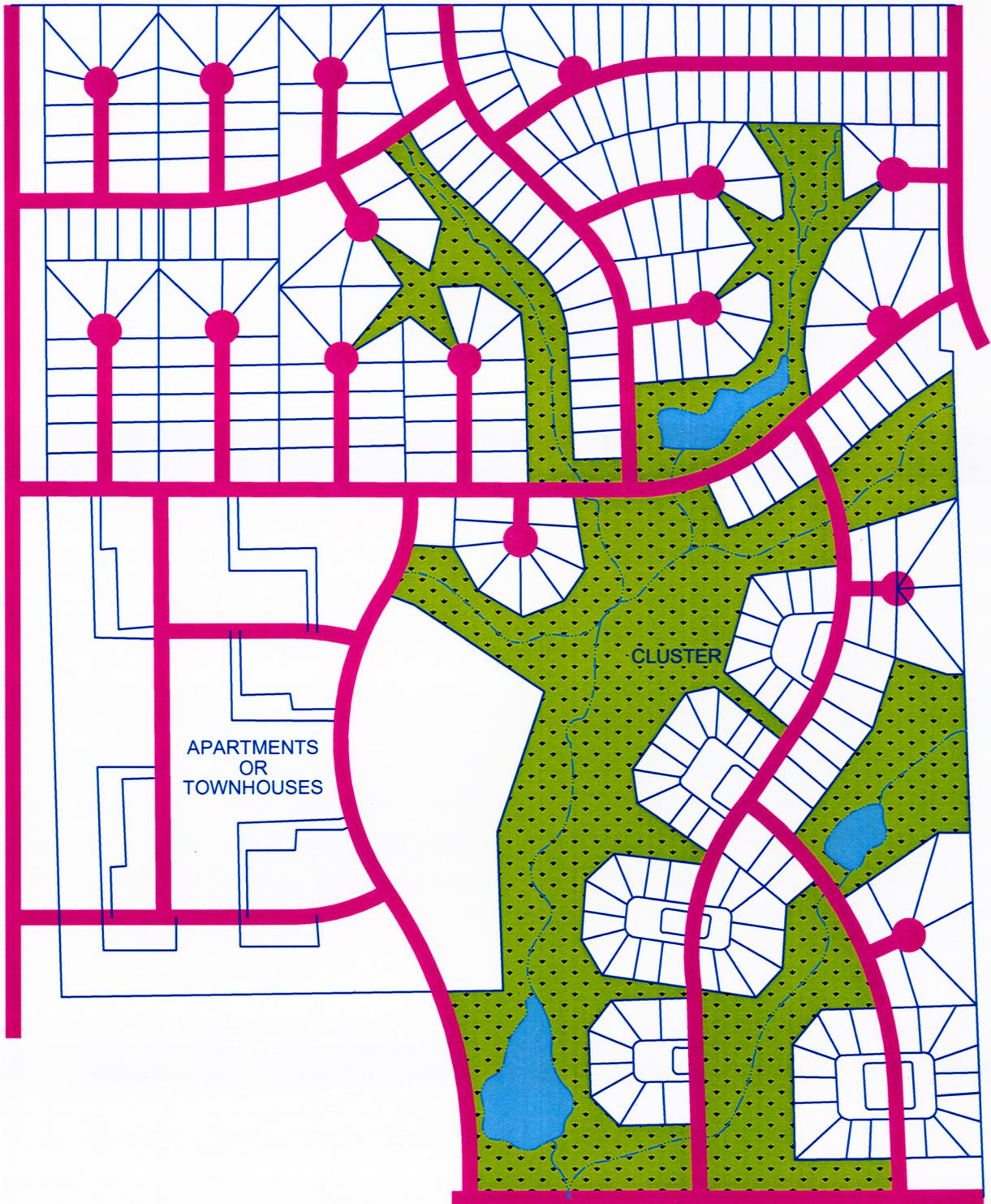
FLOOD INFORMATION:
 NO FLOOD HAZARDS ARE LOCATED ON
 THIS PROPERTY AS ILLUSTRATED ON
 FIRM PANEL 400148 0655 C
 DATED 12-15-1994



CREEK ESTATES II FINAL PLAT

A final plat is a map or chart of a land subdivision prepared in accordance with these Subdivision Regulations in a form suitable for filing in the office of the County Clerk, including necessary affidavits, dedications, and acceptances, and containing a complete engineering description including references to field markers sufficient to locate on the ground all streets, alleys, blocks, lots, and other elements of the subdivision.

FIGURE 7. FINAL PLAT



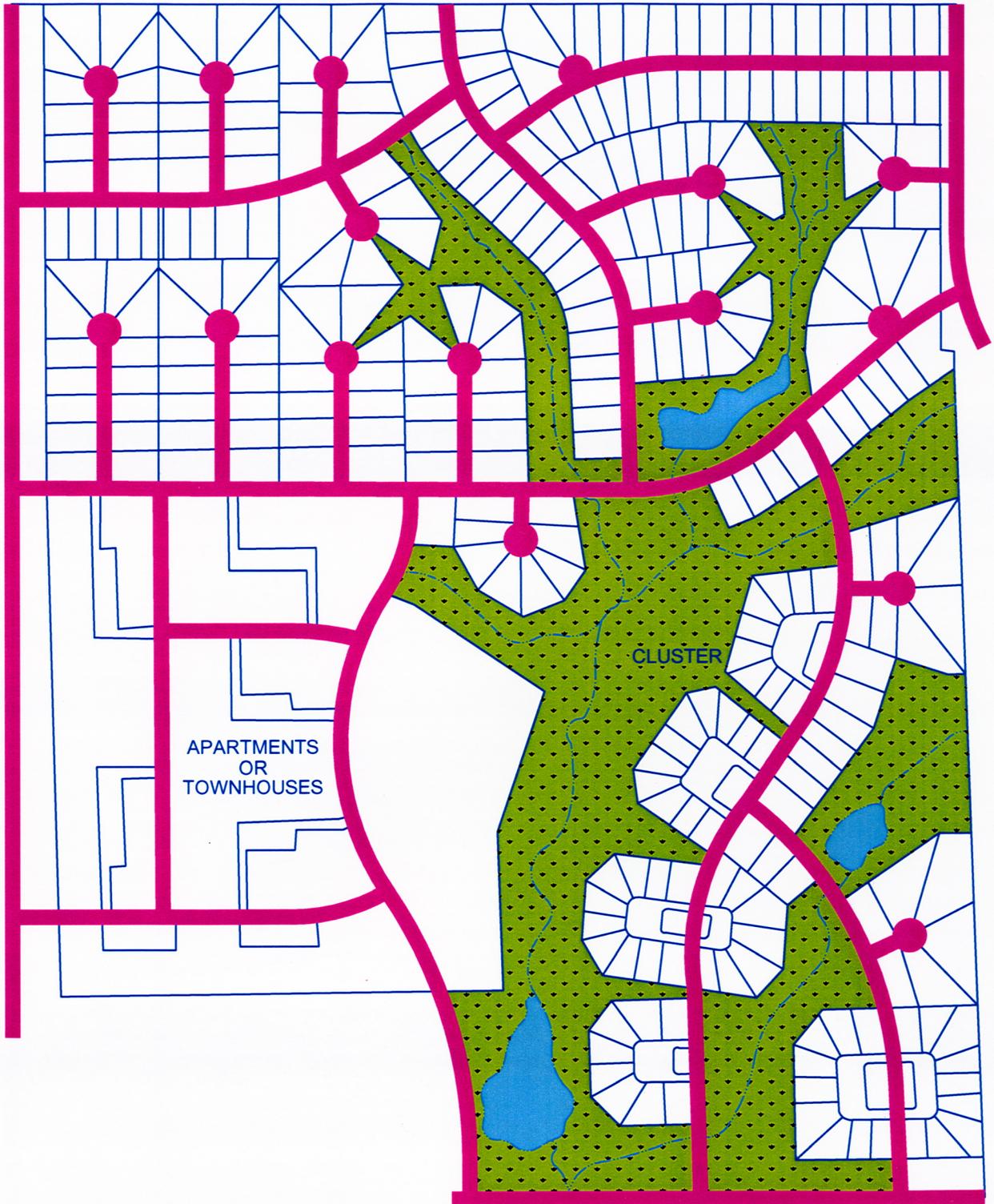
Planned Unit Developments provide a means of obtaining desirable gross densities while preserving the site amenities as open space. As illustrated, a variety of dwelling types and subdivision patterns may be employed to capitalize on the site features and broaden the market appeal.

FIGURE 8. PLANNED UNIT DEVELOPMENT



This example illustrates the use of Border Streets along a creek bed. Here, the scenic and recreational value of the creek bed is preserved and access to it for either the public or neighborhood common use is provided.

FIGURE 9. BORDER STREETS



This subdivision design preserves the creek bed and its vegetation for the recreational and visual enjoyment of the neighborhood residents and the public. In accordance with the Comprehensive Plan and development regulations, portions of this natural area can be preserved as common area and open space for use by neighborhood residents or dedicated as public open space.

FIGURE 10. OPEN SPACE

LIST OF APPENDICES

- A. APPLICATIONS AND CHECKLISTS
- B. CREEK COUNTY AND OKLAHOMA STATE DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS FOR SANITARY SEWER IMPROVEMENTS
- C. REQUIREMENTS FOR TRAFFIC CHANNELIZATION AND TURN BAYS ON ARTERIAL STREETS AND SECTION LINE ROADS
- D. MAJOR STREET PLAN: TRAFFIC RIGHT-OF-WAY AND PAVING SECTIONS
- E. STANDARD LOCATION OF UNDERGROUND UTILITY LINES AND COLOR CODE
- F. AGREEMENT GUARANTEEING INSTALLATION OF IMPROVEMENTS
- G. DETENTION FACILITY MAINTENANCE AGREEMENT
- H. SUGGESTED FORM OF CERTIFICATES

APPENDIX A

APPLICATIONS AND CHECKLISTS

APPLICATIONS AND CHECKLISTS ARE BEING REVISED AT THE PUBLICATION OF THE SUBDIVISION REGULATIONS. FOR THE LATEST COPIES AND INFORMATION CONTACT THE CREEK COUNTY PLANNER

APPENDIX B

**CREEK COUNTY AND
OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
REQUIREMENTS FOR SUBDIVISIONS**

1. GENERAL:

Reference is made to Section 4.11 of these Regulations for the basic standards for subdivisions and Section 6. The information contained in this Appendix is included for guidance and reference. The Oklahoma State Department of Environmental Quality (DEQ) should be consulted for specific detailed information not contained herein.

2. SUBDIVISIONS:

- A. Provide the following information within the restrictive covenants of the subdivision plat as follows:

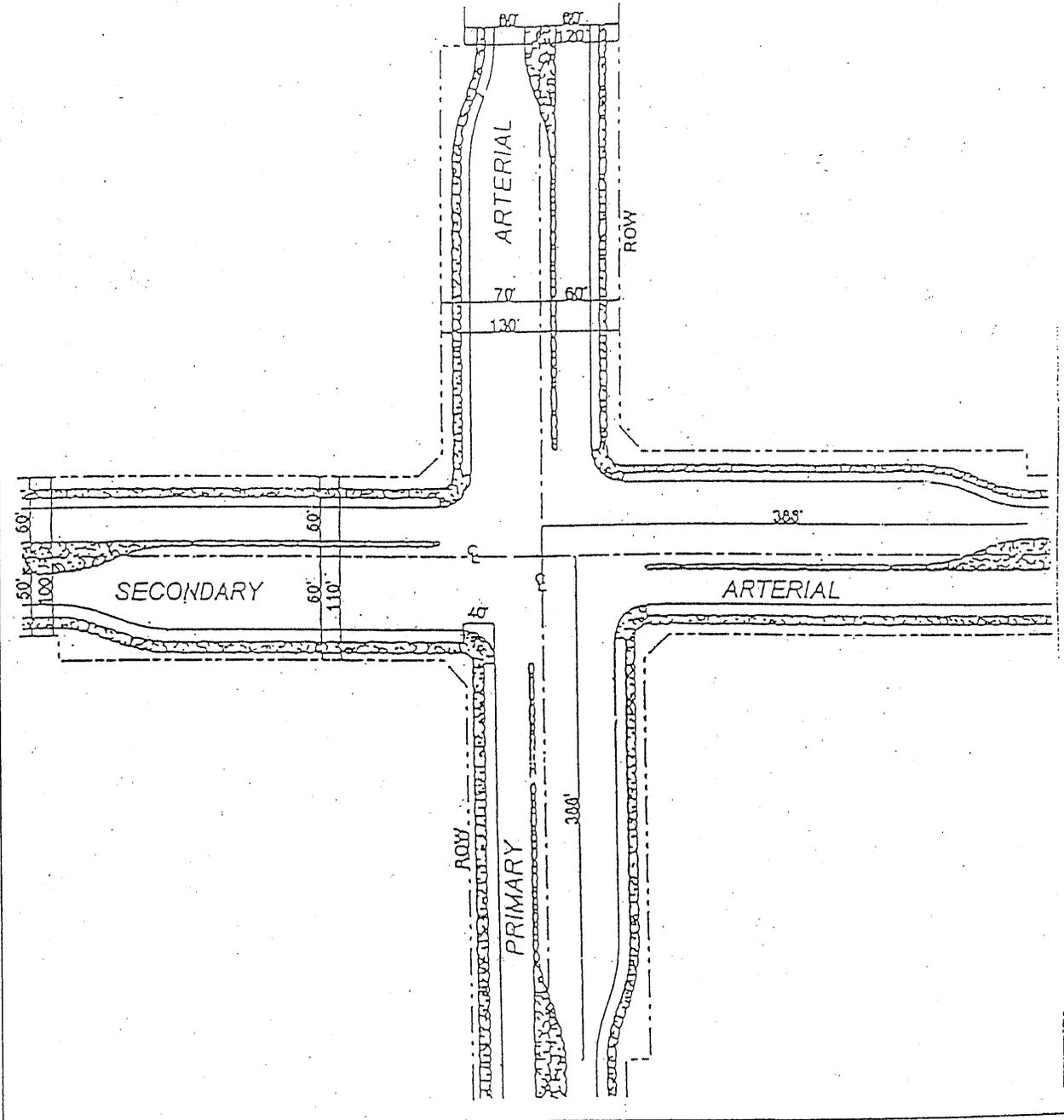
For those subdivisions within Creek County that plan to utilize individual on-site sewage disposal systems:

“Sewerage is intended to be disposed of by individual on-site sewage disposal systems, and shall be subject to the regulations of the Oklahoma State Department of Environmental Quality. Each lot owner shall be responsible for obtaining the required permits and for the installation and maintenance of the sewage disposal system serving the lot. If the system utilizes an underground absorption field, the lot area containing the absorption field shall be maintained free of paving, surfacing, swimming pools, lawn sprinkler systems, or any building or other structure which would interfere with the functioning of the absorption field. The system shall be maintained in proper operating condition at all times by the lot owner. For aerobic on-site systems, a maintenance contract shall be in effect as required by DEQ regulations consistent with the requirements of the Oklahoma Department of Environmental Quality as described in the Oklahoma Administrative Code Title 252, Chapter 641.”

B. Minimum Lot Size Requirements for On-Site Sewage Disposal Systems in Unincorporated Creek County:

<u>Type of Disposal System</u>	<u>Type of Water Supply</u>	
	<u>Private Well</u>	<u>Public Water</u>
Aerobic with Land Application	¾ Acre	½ Acre
Evapotranspiration/Absorption (ETA)	1 Acre	1 Acre
Subsurface Absorption Field		
Percolates in 30 minutes or less or has a group 2 soil classification	¾ acre	½ acre
Subsurface Absorption Field		
Percolates in 60 minutes or less or has a group 3 or 4 soil classification	1 acre	1 acre
Lagoon System	2 ½ Acres	2 ½ Acres

APPENDIX C REQUIREMENTS FOR TRAFFIC CHANNELIZATION AND TURN BAYS ON ARTERIAL STREETS



APPENDIX D

MAJOR STREET PLAN: TRAFFIC RIGHT-OF-WAY AND PAVING SECTIONS

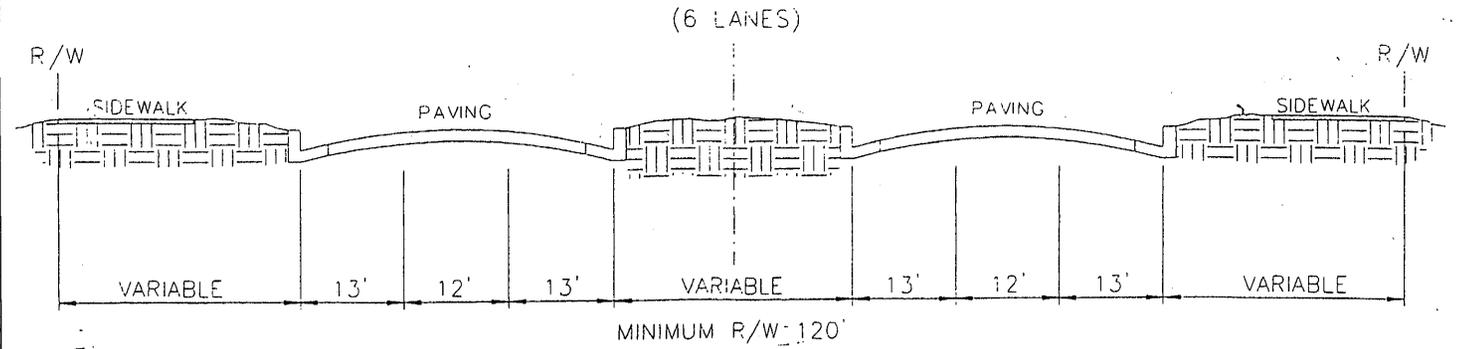
SEE THE PAGES THAT FOLLOW AND THE "CREEK COUNTY, OKLAHOMA
ENGINEERING DESIGN CRITERIA" AND THE "CREEK COUNTY, OKLAHOMA
STANDARD SPECIFICATIONS FOR CONSTRUCTION"
FOR ADDITIONAL INFORMATION

D-2 CREEK COUNTY TRAFFIC RIGHT-OF-WAY STANDARDS: D 01

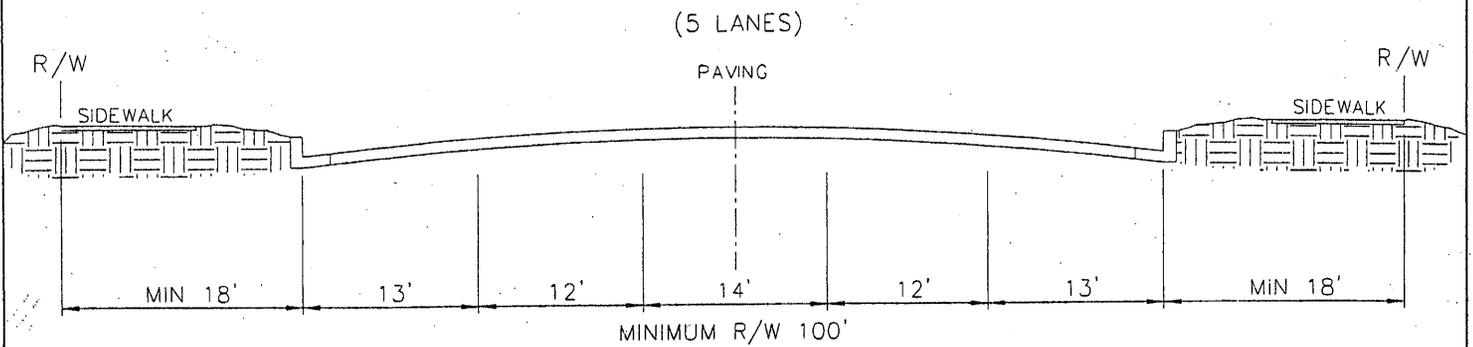
D-3 CREEK COUNTY TRAFFIC RIGHT-OF-WAY STANDARDS: D 02

D-4 MINIMUM REQUIREMENTS FOR RURAL RESIDENTIAL STREETS:
D 03

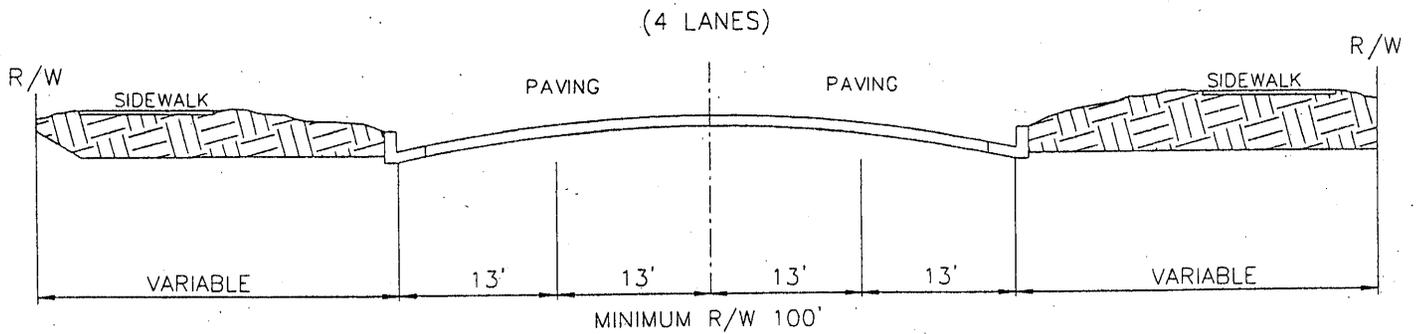
D-5 COLLECTOR/LOCAL PAVEMENT SECTIONS: D 04



PRIMARY ARTERIAL / MAJOR ARTERIAL
MINIMUM PAVING AND MATERIAL SPECIFICATIONS FOR CONSTRUCTION
SHALL BE DETERMINED BY SITE SPECIFIC GEOTECHNICAL REPORT



SECONDARY ARTERIAL (ALTERNATE) / MINOR ARTERIAL (ALTERNATE)



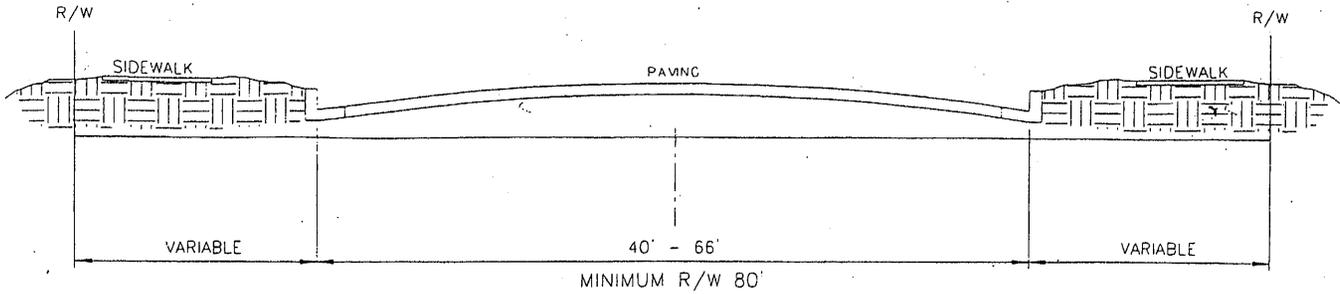
SECONDARY ARTERIAL / MINOR ARTERIAL

MINIMUM PAVING AND MATERIAL SPECIFICATIONS FOR CONSTRUCTION
SHALL BE DETERMINED BY SITE SPECIFIC GEOTECHNICAL REPORT.

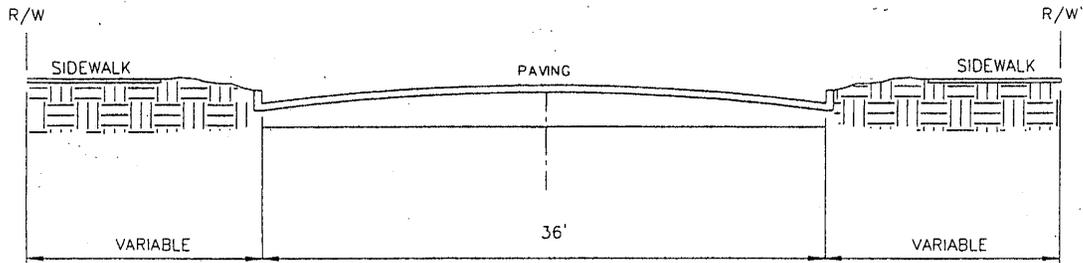
APPENDIX D: MAJOR STREET PLAN - TRAFFIC
RIGHT-OF-WAY AND PAVING SECTIONS, PAGE D-2
SOURCE: STANDARD SPECIFICATIONS FOR CONSTRUCTION CREEK COUNTY, OKLAHOMA

Adopted Date:
Effective Date:

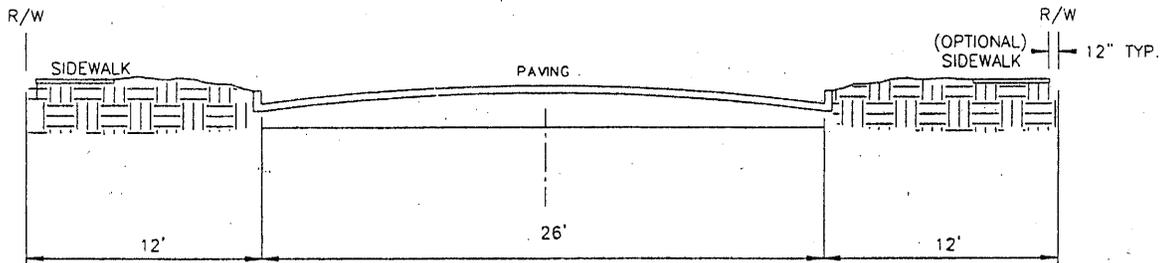
ENGINEER APPROVAL _____



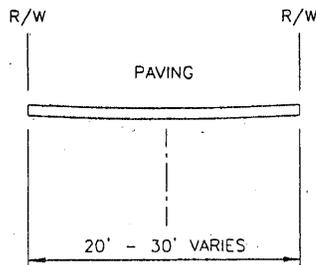
MINIMUM R/W 80'
 COMMERCIAL / INDUSTRIAL COLLECTOR
 CENTRAL BUSINESS DISTRICT STREET WITH SIDEWALKS



MINIMUM R/W 60'
 RESIDENTIAL COLLECTOR
 COMMERCIAL / INDUSTRIAL (LOCAL)



MINIMUM R/W 50'
 RESIDENTIAL STREET, LOCAL/MINOR

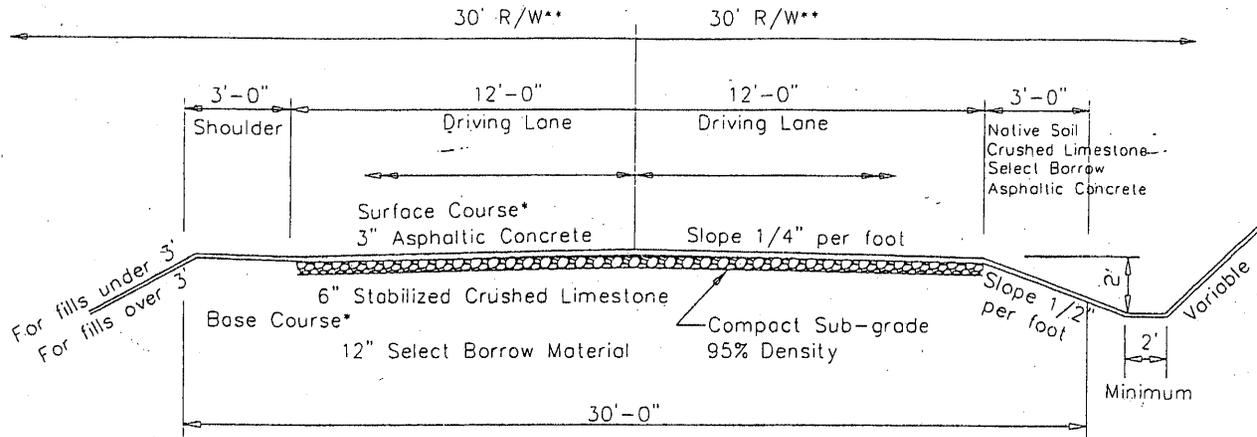


ALLEYWAY
 MINIMUM R/W 20' RESIDENTIAL - PVMT WIDTH 20'
 MINIMUM R/W 30' COMMERCIAL / INDUSTRIAL - PVMT WIDTH 30'

APPENDIX D: MAJOR STREET PLAN - TRAFFIC
 RIGHT-OF-WAY AND PAVING SECTIONS, PAGE D-3
 SOURCE: STANDARD SPECIFICATIONS FOR CONSTRUCTION
 CREEK COUNTY, OKLAHOMA

Adopted Date:
 Revision #

ENGINEER APPROVAL _____



NOTE: All earth work shall be done in accordance with Standard Specifications for Highway Construction.

CREEK COUNTY, OKLAHOMA
RIGHT-OF-WAY STANDARDS

MINIMUM REQUIREMENTS FOR RURAL RESIDENTIAL STREETS
WITH BORROW DITCHES
MINIMUM LOT WIDTH 150 FEET

THE MINIMUM DIAMETER CULVERT PIPE FOR
SUCH CONSTRUCTION IS 18" DIAMETER.

*PRODUCT FORMULA AND APPLICATION
SHALL BE TO OKLAHOMA DEPARTMENT
OF TRANSPORTATION SPECIFICATIONS.

**SECTION LINE/ARTERIAL ROADS SHALL
BE A MINIMUM OF 100' WIDE RIGHT-OF-WAY
LANE CONFIGURATION SHALL BE AS
REQUIRED BY THE CREEK COUNTY BOARD OF
COMMISSIONERS.

SOURCE: STANDARD SPECIFICATIONS FOR CONSTRUCTION
CREEK COUNTY, OKLAHOMA

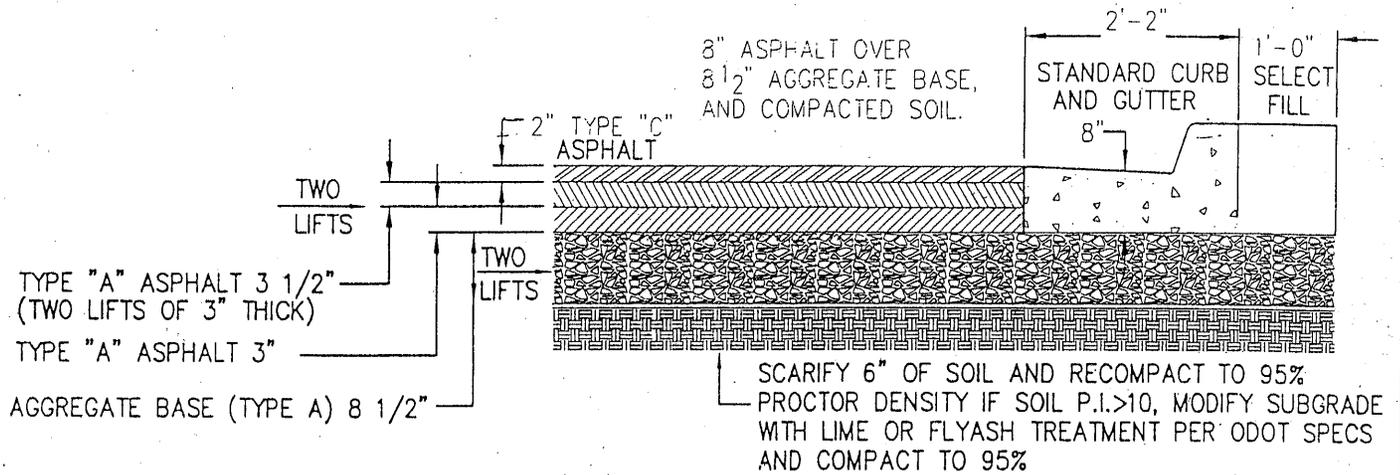
Adopted Date:

Effective Date:

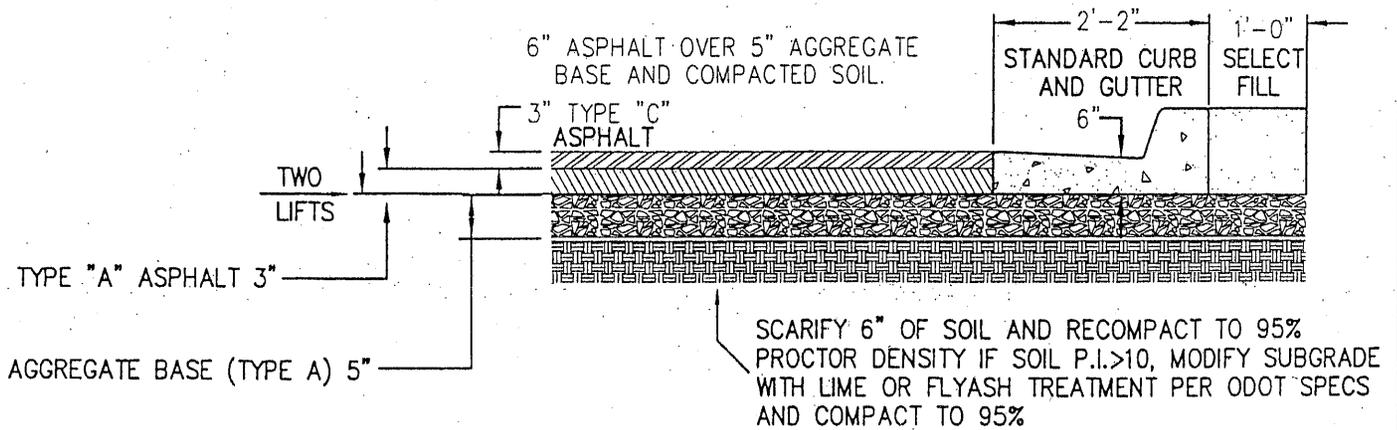
Appendix D

Engineer Approval: _____

COLLECTOR / INDUSTRIAL



RESIDENTIAL, LOCAL, MINOR



TYPICAL PAVING SECTION CONSTRUCTION NOTES:

1. ALL CONSTRUCTION AND ALL MATERIALS TESTING SHALL BE PER APPLICABLE O.D.O.T. SPECIFICATIONS, LATEST VERSION.
2. SCARIFY SUBGRADE SOIL TO A DEPTH OF 6" MIN. PER O.D.O.T. SPECIFICATION 310 (METHOD B).
3. MODIFIED SUBGRADE (SOIL P.I.>10) PER O.D.O.T. SPECIFICATION 307 OR 317.
4. FILTER FABRIC SHALL BE PER O.D.O.T. SPECIFICATION 325.
5. AGGREGATE BASE (TYPE A) SHALL BE PER O.D.O.T. SPECIFICATION 303.
6. ASPHALT TYPE "A" SHALL BE PLANT MIX ASPHALT CONCRETE PAVEMENT BE PER O.D.O.T. SPECIFICATION 411.
7. PRIOR TO PLACING ASPHALT, ALL ROCK AGGREGATE BASE AND SOIL SHALL RECEIVE A PRIME COAT PER O.D.O.T. SPECIFICATION 408.
8. TACK COAT BETWEEN CONSECUTIVE LIFTS OF ASPHALT WILL BE REQUIRED WHEN THE TEMPERATURE OF THE PREVIOUS LIFT IS LESS THAN 135 DEGREES. APPLICATION SHALL BE PER O.D.O.T. SPECIFICATION 407.

Adopted Date:
Effective Date:

Engineer Approval: ___

APPENDIX E
STANDARD LOCATION OF UNDERGROUND
UTILITY LINES AND COLOR CODE

- E-2 UTILITY COLOR CODES
- E-3 PERIMETER UTILITY LOCATIONS: 17.5' EASEMENT, Figure E 01
- E-4 PERIMETER UTILITY LOCATIONS: BACKYARD BACK TO BACK 11'
EASEMENTS
- E-5 STREET UTILITY LOCATIONS: Figure E 03

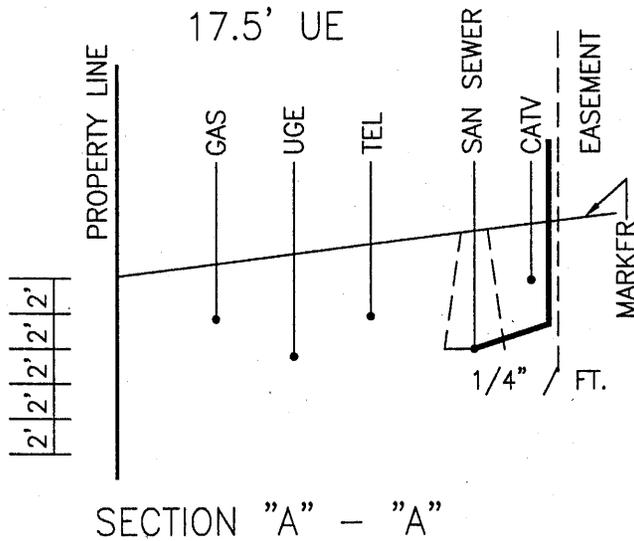
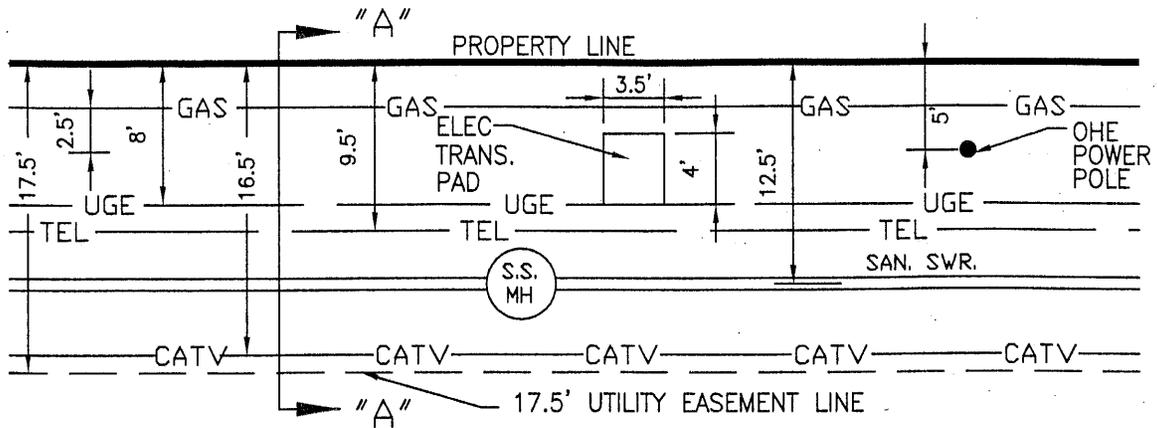
APPENDIX E

STANDARD LOCATION OF UNDERGROUND UTILITY LINES AND COLOR CODE

The following information and standards are incorporated into this Appendix as guidelines under Section 4.7 of these Regulations. Specific easement widths are to be coordinated with the County Staff and Technical Advisory Committee during the platting process, using these standard locations as applicable.

UTILITY COLOR CODES

Communication lines or cables, including but not limited to telephone, telegraph, fire signals, cable television, civil defense, data systems, electronic controls and other instrumentation.	Orange
Gas, oil, petroleum products, steam, compressed air, compressed gases and all other hazardous liquid or gaseous materials except water.	Yellow
Potable Water.	Blue
Storm and sanitary sewers including force mains and other non-hazardous materials.	Green
Electric power lines or conduits.	Red



TRENCHES INSTALLED PARALLEL TO FOOTINGS SHALL NOT EXTEND BELOW THE 45 DEGREE (0.79 RAD.) BEARING PLANE OF THE FOOTING WALL

SOURCE: STANDARD SPECIFICATIONS FOR CONSTRUCTION
 CREEK COUNTY, OKLAHOMA

APPENDIX E: STANDARD LOCATION OF UNDERGROUND
 UTILITIES FOR RESIDENTIAL STREETS

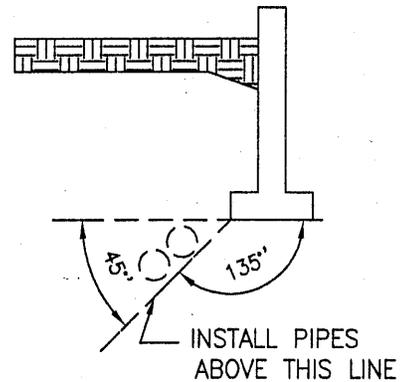
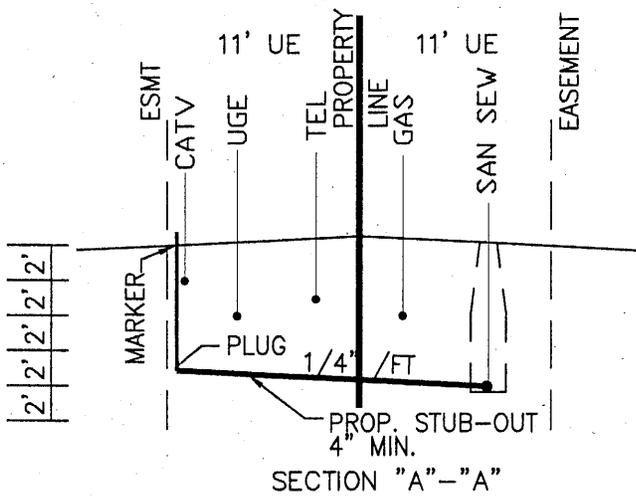
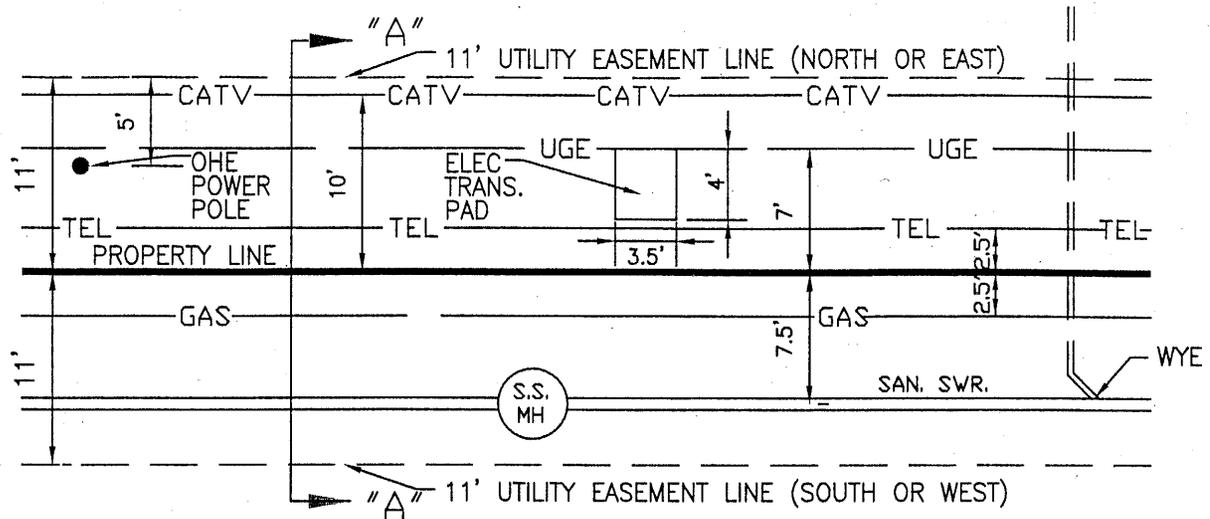
Adopted Date:

Revision #

ENGINEER APPROVAL _____

CREEK COUNTY, OKLAHOMA
 BACKYARD / PERIMETER UTILITY LOCATIONS :
 BACKYARD BACK TO TACK 11' EASEMENTS

FIGURE E 02



TRENCHES INSTALLED PARALLEL TO FOOTINGS SHALL NOT EXTEND BELOW THE 45 DEGREE (0.79 RAD.) BEARING PLANE OF THE FOOTING WALL

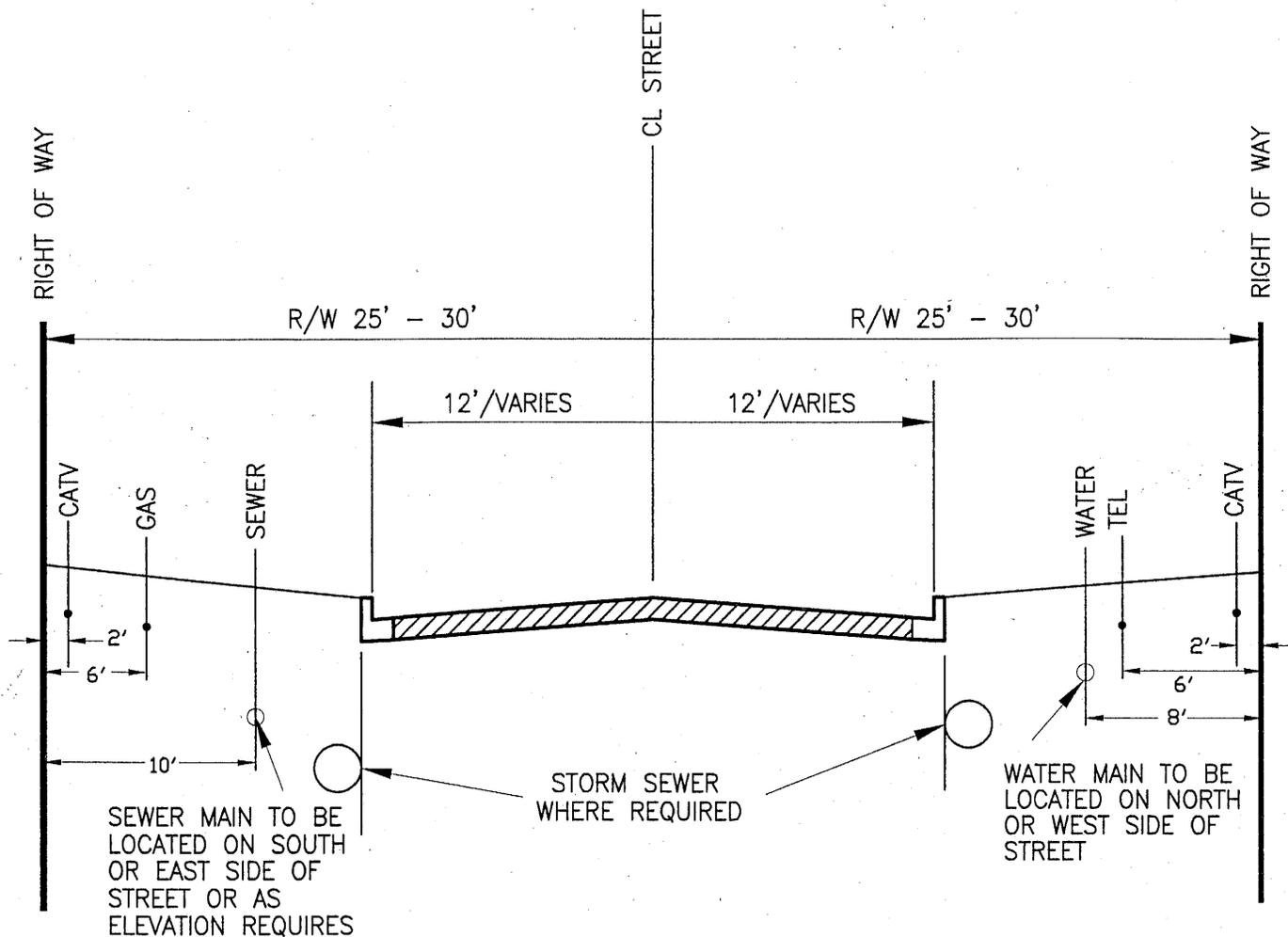
SOURCE: STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 CREEK COUNTY, OKLAHOMA

APPENDIX E: STANDARD LOCATION OF UNDERGROUND UTILITIES FOR RESIDENTIAL STREETS

Adopted Date:
 Revision #

ENGINEER APPROVAL _____

E-4



INTERIOR STREETS
RURAL RESIDENTIAL STREETS

150' OR GREATER LOT WIDTH REQUIRED
FOR BORROW DITCH CONSTRUCTION

SOURCE: STANDARD SPECIFICATIONS FOR CONSTRUCTION
CREEK COUNTY, OKLAHOMA

APPENDIX E: STANDARD LOCATION OF UNDERGROUND
UTILITIES FOR RESIDENTIAL STREETS

Adopted Date:
Revision #

ENGINEER APPROVAL _____

E-5

APPENDIX F

WHEREAS, application has been made to the Board of Commissioners of Creek County (County) regarding the guarantee installation of public improvements, by the undersigned for approval of the _____ subdivision pursuant to 19 O.S., Section 866, and the duly adopted Subdivision Regulations; and

WHEREAS, the undersigned owns fee simple title in and to all of said real property comprising said subdivision; and

WHEREAS, the developer has elected to file a Final Plat prior to installation of the required public improvements as shown on the approved Final Construction Plans;

WHEREAS, the approval of said subdivision by the Sapulpa Metropolitan Area Planning Commission (Planning Commission) is given upon the condition that certain improvements will be constructed and installed by the undersigned in accordance with plans approved by the County for said improvements within two (2) years from date of final approval of said plat by the Planning Commission.

NOW, THEREFORE, the undersigned in consideration of said approval by the Planning Commission covenants and agrees to construct and install said improvements in accordance with said officially approved plans, and further covenants and agrees that said facilities will be completed within two (2) years from date of final approval of said subdivision plat by the Planning Commission. When improvements have been completed and approved by the County, and prior to approval of the Final Plat, the developer's engineer shall furnish the County a complete set of mylar reproducible "As-Built" drawings and five (5) full cut sheet "As Built" drawings, which shall include all changes and modifications required during the engineering, inspection and construction phase/process.

This agreement shall be enforceable by the Board of Commissioners of Creek County, Oklahoma.

This covenant and agreement shall be binding upon the undersigned and his, its or their heirs, successors and assigns. When said improvements have been completed, written acknowledgment of such fact by the County Engineer shall be filed of record with the Creek County Clerk.

Dated this _____ day of _____, _____.

(Corporate Seal)

ATTEST:

(if corporation, state whether president or Vice-president)

Corporate Secretary
Signature/Typed Name

OWNER

by:

Signature/Typed Name

This agreement has been voted upon and accepted by the Creek County Board of Commissioners on the _____ day of _____, _____.

ACCEPTANCE/APPROVAL BY CREEK COUNTY BOARD OF COMMISSIONERS _____
Chairman

STATE OF _____)
COUNTY OF _____)

Before me, the undersigned, a Notary Public in and for said County and State, on this ____ day of _____, 20____, personally appeared _____ to me known to be the identical person _____ who executed the foregoing instrument and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: _____
Notary Public

STATE OF _____)
COUNTY OF _____)

Before me, the undersigned, a Notary Public in and for said County and State, on this ____ day of _____, 20____, personally appeared _____, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its _____ and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: _____
Notary Public

APPENDIX G

DETENTION MAINTENANCE AGREEMENT

PRIVATE DETENTION FACILITY MAINTENANCE AGREEMENT AND EASEMENT

This PRIVATE DETENTION FACILITY MAINTENANCE AGREEMENT (Agreement) by and between THE BOARD OF COUNTY COMMISSIONERS OF CREEK COUNTY, STATE OF OKLAHOMA (Board or County) and _____, an Oklahoma Corporation (“Developer”) and _____ HOMEOWNERS ASSOCIATION (“Homeowners Association” or “Association”), an Oklahoma non-profit corporation. The above may occasionally be referred to herein singularly as “Party” and collectively as “Parties”.

Recitals

1. **WHEREAS**, the Developer is the owner of certain real estate (the Property or Subdivision) in Creek County, State of Oklahoma, which Property is legally described as follows:
2. **WHEREAS**, the Developer desires to plat and develop on the Property a subdivision to be known as _____; and
3. **WHEREAS**, the development of this Subdivision will substantially increase the volume of water runoff from the property, and, therefore, it is in the interest of public health, safety and welfare for the County to condition approval of this subdivision on the Developer’s promise to construct adequate storm water drainage and detention facilities in the subdivision; and
4. **WHEREAS**, Section 4.9 of the Creek County Subdivision Regulations, as periodically amended, requires a developer to construct adequate storm water drainage and detention facilities in subdivisions; and
5. **WHEREAS**, the County has not assumed control of the Subdivision storm water detention facility; and
6. **WHEREAS**, storm water detention facilities are an effective means of controlling storm water runoff; and
7. **WHEREAS**, the Developer and the Association desire to construct a detention facility as the means for providing adequate storm water drainage and runoff control in the Subdivision; and
8. **WHEREAS**, the Association shall be charged in the Subdivision’s Covenants with the duty of maintaining all common areas and common structures within the Subdivision, including the detention facility; and
9. **WHEREAS**, the lack of proper cleaning, maintenance and repair could threaten the public health, safety and welfare; and

10. **WHEREAS**, the County, in order to so protect the public health, safety and welfare, desires the means to recover its cost incurred in the event the County must clean, maintain and/or repair a private detention facility in this Subdivision in an effort to protect the public health, safety and welfare; and
11. **WHEREAS**, the County conditions its approval of this Subdivision on the Developer's and the Association's agreement to so construct this detention facility, and conditions approval on the Association's agreement to reimburse the County in the event the burden falls upon the County to so clean, maintain and/or repair the detention facility in this Subdivision; and
12. **WHEREAS**, the County, in order to secure performance of the promises contained herein, conditions approval of this Subdivision upon the Developer's grant herein of a perpetual easement over a portion of the Subdivision for the purpose of allowing the County to periodically access, inspect, and, when so necessary, to clean, maintain and/or repair the detention facility; and
13. **WHEREAS**, given that the Association could potentially avoid liability hereunder by dissolving and reforming as a different entity, and given the difficulties inherent in collecting an unsecured promise, the County, in order to secure performance of the promises contained herein, condition approval of this Subdivision upon the Developer's creation, by and through this Agreement, of a covenant running with the land upon each and every lot in the Subdivision.

Agreement

NOW, THEREFORE, in consideration of the mutual Promises contained herein, the sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **Incorporation of Recitals**: The Parties incorporate the Recitals above into this Agreement.
2. **Covenants Running with the Land and Pro Rata Liability upon Individual Lot Owners**: The Developer and Homeowners' Association agree that this entire Agreement and the performance thereof shall become a covenant running with the land, which land is legally described in Paragraph One (1) of the Recitals set forth above, and that this entire Agreement and the performance thereof shall be binding upon themselves, their respective successors and assigns, including individual lot owners within the Subdivision.

However, any liability imposed under this Agreement against an individual lot owner shall not be joint and several with the Developer and the Association, but shall be pro rated on a per-lot basis as determined by the following formula and illustration:

Each individual lot owner(s) shall be liable for no more than the total monetary amount of liability multiplied by a fraction in which the numerator is the number of lots in the Subdivision owned by a particular lot owner, and the denominator is the total number of lots in the Subdivision. As to any lot(s) owned by more than one person or entity, the liability among co-owners shall be joint and several for

the pro rata obligation of that lot. The application of this Paragraph is best illustrated by the following example. Assume the following parameters: total liability is \$10,000; total number of lots in the Subdivision is 100; Lot 1 is owned by persons A and B; person B also owns Lot 2. Liability is as follows: the Developer, \$10,000; the Association, \$10,000; Lot 1 is \$100, joint and several as to A and B, Lot 2 is \$100 owned solely by B. Thus person A's total liability is \$100 and person B's is \$200. Applying the principle that the County cannot collect more than it is owed, and assuming that the County cannot collect anything from the Developer and the Association, if the County collected the \$200 from B, then it could not collect the \$100 from A. Likewise, if the County collected the \$100 from A, then it could only collect \$100 from B.

3. Construction: the Developer and the Homeowners' Association agree that they shall construct on (Tract _____ or Lot: _____, Block _____, or Reserve _____) as indicated on the final plat of the Subdivision and as described below a private storm water detention facility (for multiple detention facilities, insert the following here: consisting of _____ () detention ponds, one on each tract [or lot]) ("detention facility"). The Developer and the Homeowners' Association shall not commence construction of the detention facility until the Planning Department and the Creek County Engineer have approved in writing the plans and specifications for the detention facility. Failure to obtain such approval shall be material breach of this Agreement, and shall entitle the County to pursue any remedies available to it at law or in equity to enforce the same. Construction of the detention facility shall be completed prior to filing of the final plat. Rough grading of the detention facility must be completed and inspected and approved by the Creek County Engineer prior to commencing road construction.

In the event construction is not so completed, then the County may exercise its discretion (as secured by performance bonds or other such surety) to complete the project, and shall have the right to seek reimbursement from the Developer and the Homeowners' Association and their respective successors and assigns, for its actual costs and expenses incurred in the process of completing construction.

The term actual costs and expenses shall be liberally construed in favor of the County, and shall include, but shall not be limited to, labor costs tool and equipment costs, supply costs, and engineering and design costs, regardless of whether the County uses its own personnel, tools, equipment and supplies, etc. to correct the matter. In the event the County initiates any litigation or engages the services of legal counsel in order to enforce the provisions arising herein, the County shall be entitled to its damages and costs, including reasonable attorney fees, regardless of whether the County contracts with outside legal counsel or utilizes in-house legal counsel for the same. The scope of liability therefor of the Developer, the Association, and the individual lot owners shall be as set forth in Paragraph 2 above.

4. Maintenance: The Developer and the Association agree for themselves, their respective successors and assigns, including individual lot owners within the Subdivision, that they will regularly and routinely inspect, clean and maintain the detention facility, and otherwise keep the same in good repair, all at their own cost and expense. No trees or shrubs that will impair the structural integrity of the detention facility shall be planted or allowed to grow on the detention facility.

5. Creation of Easement: The Developer and the Association hereby grant the County a non-exclusive perpetual easement upon the entire Tract(s) [or Lot(s)] described above. The purpose of the easement is to allow the County to access, inspect, clean, repair and maintain the detention facility; however, the creation of the easement does not expressly or implicitly impose on the County a duty to so inspect, clean, repair or maintain the detention facility.

6. County's Rights and Obligations: Any time the County determines, in the sole exercise of its discretion, that the detention facility is not properly cleaned, maintained and/or otherwise kept in good repair, the County shall give reasonable notice to the Developer, the Association and their respective successors and assigns, including the individual lot owners within the Subdivision, that the detention facility needs to be cleaned, maintain and/or otherwise repaired. The notice shall provide a reasonable time to correct the problem(s). Should the responsible parties fail to correct the specified problem(s), the County may enter upon the Property to so correct the specified problem(s). Notice shall be effective to the above by the County's deposit of the same into the regular United States mail, postage pre-paid. However, this Agreement does not expressly impose on the County a duty to so inspect, clean, repair or maintain the detention facility.

7. Reimbursement of County's Costs/Covenant Running with the Land: The Developer and the Association agree and covenant, for themselves, their respective successors and assigns, including individual lot owners within the Subdivision, that they will reimburse the County for its costs and expenses incurred in the process of cleaning, maintaining, and/or repairing the detention facility. However, the obligation and liability of the Developer hereunder shall only continue until such time as the Developer transfers the entire management and operation of the Association to the individual lot owners within the Subdivision. Notwithstanding the previous sentence, the Association and the individual lot owners within the Subdivision shall always remain obligated and liable hereunder, and as per the provisions of Paragraph 2 above.

8. Contingencies of Subdivision Approval: The Developer's and the Association's execution and compliance with this Agreement are a condition of subdivision approval. Additional conditions of this Agreement include, but are not limited to, the following:

- a. Conveyance of Tract(s) _____ from the Developer to the Association (which will include a reservation of easement in favor of the County for purposes of accessing, inspecting, cleaning, maintaining and repairing the detention facility), and recording of the Deed for the same; and

If not a conveyance of a fee interest but merely creating and conveying an easement on the affected lot(s), then substitute the following alternative Paragraph a:

- a. Conveyance of easements on Lot(s) _____, Block _____ from _____ the Developer to the Association and to the County for the purposes of accessing, inspecting, cleaning, maintaining and repairing the detention facility, and recording of appropriate conveyance documents for the same; and
- b. The County's receipt of a copy of the Articles of Incorporation for the Association, as filed with the Oklahoma Secretary of State; a copy of the Bylaws of the Association; a copy of the organizational minutes or other appropriate documents of the Association, properly executed and attested, establishing that the Association has adopted this Agreement as an obligation of the Association; and
- c. A copy of the recorded (Book and Page) Covenants of the Subdivision establishing that the Association is obligated to inspect, clean, maintain and repair the detention facility; that the Association has adopted this Agreement as an obligation of the Association; and that a funding mechanism is in place whereby individual lot owners within the Subdivision pay a regular fee to the Association for, among other matters, the inspection, cleaning, maintenance and repair of the detention facility.
- d. A copy of recorded (Book and Page) the Covenants of the Subdivision establishing that this Agreement is incorporated into the Covenants, and that such Agreement touches and concerns every lot in the Subdivision.

The County shall have the right, in the sole exercise of its discretion, to approve or disapprove any documentation submitted to it under the conditions of Paragraph 8. The County's rejection of any documentation submitted hereunder shall mean that the appropriate condition of this Agreement has not been fulfilled.

9. Distribution to Lot Purchasers: Upon the initial sale of any lot within the Subdivision, prior to closing on such sale, the Developer shall give a copy of this Agreement to the potential Buyer. Upon sale to said Buyer, the Buyer shall acknowledge receipt in writing of this agreement.

10. Agreement Monitored by Planning Department: Any and all actions and decisions to be made hereunder by the County shall be made by the Director of the Creek County Planning Department. Accordingly, any and all documents, submissions, plan approval, inspections, etc. shall be submitted to and shall be made of record by the Director of the Creek County Planning Department.

11. Indemnification and Hold Harmless: To the extent authorized by law, the Developer and the Association agree, for themselves, their respective successors and assigns, including the individual lot owners in the Subdivision, that they will indemnify, defend and hold harmless from any and all loss, costs, damage, injury, liability, claim, lien, demand, action and causes of action whatsoever, whether at law or in equity,

arising from or related to their respective intentional or negligent acts, errors or omissions or that of its agents, officers, servants, employees, invitees and licensees in the construction, operation, inspection, cleaning, solid or hazardous wastes as defined by State and/or Federal environmental laws and maintenance and repair of the detention facility, and such obligation arising under this Paragraph shall be joint and several. Nothing in this Paragraph shall be deemed to waive or otherwise limit the defense available to the County as provided by law. However, the obligation and liability of the Developer hereunder shall only continue until such time as the Developer transfers the entire management and operation of the Association to the Homeowners Association and/or individual lot owners within the Subdivision.

12. Severability: In the event any Court of competent jurisdiction declares any part of this Agreement to be unenforceable, such declarations shall not affect the enforceability of the remaining parts of this Agreement.

13. Third Parties: This Agreement does not and shall not be deemed to confer upon or grant to any third party any right to claim damages or to bring any lawsuit, action or other proceeding against either the County, the Developer or the Association, their respective successors and assigns, including any individual lot owners within the Subdivision, because of any breach hereof or because of any terms, covenants, agreements or conditions contained herein.

14. Solid or Hazardous Wastes: Should any refuse from the detention facility be suspected or identified as solid waste and/or hazardous waste, the Developer and the Association shall take all necessary and proper steps to characterize the waste and properly dispose of it in accordance with applicable State and/or Federal environmental laws and regulations. The County shall not be responsible or liable for identifying, characterizing, cleaning up or disposing of such solid and/or hazardous waste. Notwithstanding the previous sentence, should any refuse cleaned up and disposed of by the County be determined to be solid and/or hazardous waste, the Developer and the Association, but not the County, shall be responsible and liable as the owner, generator, and/or transporter of said solid and/or hazardous waste.

15. Applicable Law and Venue: The laws, rules and regulations of the State of Oklahoma and Creek County shall be applicable in the enforcement, interpretation and execution of this Agreement, except that Federal law may be applicable regarding solid or hazardous wastes. Venue shall be in the Creek County District Court.

IN WITNESS WHEREOF, the Parties affix their signatures below.

Executed this _____ day of _____, _____,

by: _____
[DEVELOPER'S NAME]:

By: _____

_____, President
(Insert Name)

The forgoing instrument was acknowledged before me this _____ day of _____, _____, by _____, President, _____.

Witness my hand and official seal.

My commission expires _____.

Notary Public

Executed this _____ day of _____, _____, by:

_____ **HOMEOWNERS' ASSOCIATION**, an Oklahoma nonprofit corporation.

By: _____

_____, President
(Insert Name)

The forgoing instrument was acknowledged before me this _____ day of _____, _____, by _____, President, _____.

Witness my hand and official seal.

My commission expires _____.

Notary Public

Executed this _____ day of _____, _____.

BOARD OF COUNTY COMMISSIONERS OF CREEK COUNTY, STATE OF OKLAHOMA

By: _____

_____, Chairperson

(Insert Name)

The forgoing instrument was acknowledged before me this _____ day of _____, _____, by the _____, Board of County Commissioners of Creek County, State of Oklahoma.

ATTESTED to by _____, County Clerk
(Insert Name)

Witness my hand and official seal.

My commission expires _____.

Notary Public

APPROVED as to Content and Form:

Assistant District Attorney

Date

**APPENDIX H
PERFORMANCE BONDS AND CERTIFICATES**

PERFORMANCE BOND

KNOW ALL PERSONS BY THESE PRESENTS:

That we _____ as Principal and the undersigned Surety, are held and firmly bound unto Creek County, Oklahoma, hereafter called the County, in the full sum of _____ Dollars, (\$_____), for the payment of which, well and truly to be made, we, and each of us, bind ourselves jointly and severally, by these presents.

Dated this _____ day of _____ A.D., _____.

The conditions of this obligation are such that WHEREAS, PRINCIPAL has submitted to the County a final plat for subdivision of a tract of land described as follows:

AND WHEREAS, PRINCIPAL has, pursuant to the Codes and Regulations of Creek County, elected to file this bond in lieu of actual completion of improvements and utilities in the above subdivision.

NOW THEREFORE, if the PRINCIPAL shall, within two (2) years from date of approval of the final plat of subdivision, faithfully install and complete improvements and utilities in the subdivision according to requirements or ordinances, approved plans, specifications and subdivision rules and regulations of the County, and pay all bills for contractors, subcontractors, labor and materials incurred in completion thereof; and shall hold harmless and indemnify the County and all interested property owners against liability, loss or damage by reason of failure of PRINCIPAL to faithfully perform the conditions hereof, then this obligation shall be null and void, otherwise to remain in full force and effect; PROVIDED, however, that actions upon this bond by contractors, subcontractors, laborers or material workers shall be limited to six months from and after completion of the improvements and utilities above referred to.

OWNER'S CERTIFICATE AND DEDICATION

We, the undersigned _____, do hereby certify that we are the record owners of the land shown on the annexed Plat of _____ and that the plat represents a correct survey of the above described property made with consent, and that we hereby dedicate to the public use all the streets as shown on said annexed plat; that the easements as shown on the annexed plat are created for the installation and maintenance of public utilities; that we hereby guarantee a clear title to all lands so dedicated from ourselves, our heirs or assigns forever and have caused the same to be released from all encumbrances so that the title is clear, except as shown in the abstractor's certificate.

RESTRICTIONS: (If any, follow here)

Witness _____ hand _____ this _____ day of _____, _____.

(ACKNOWLEDGEMENT)

CERTIFICATE OF SURVEY

I, _____, Professional Land Surveyor in the State of Oklahoma, do hereby certify that I have carefully and accurately surveyed and platted the tract of land described above, and that the accompanying plat designated herein as _____, a development in Creek County, Oklahoma, is a representation of the survey made on the ground using generally accepted practices and meets or exceeds the Oklahoma minimum standards for the practice of land surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors, and the requirements of Creek County, Oklahoma.

Executed this _____ day of _____, _____.

Professional Land Surveyor, No. _____

(SEAL)

CERTIFICATE OF ENGINEER

I, _____, a Professional Engineer in the State of Oklahoma, do hereby certify that all construction and drainage plans for _____, a development in Creek County, Oklahoma have been prepared in accordance with and meet or exceed the standards and requirements of Creek County, Oklahoma.

Executed this _____ day of _____, _____.

Professional Engineer, License No. _____

(SEAL)

CERTIFICATE OF THE CREEK COUNTY TREASURER

I, _____, do hereby certify that I am the duly elected, qualified and acting Treasurer of Creek County, State of Oklahoma. That the tax records of Creek County show all taxes are paid for the year _____ and prior years on the land shown on the annexed plat of _____ in Creek County, Oklahoma; and that the required statutory security has been deposited in the office of the Creek County Treasurer, guaranteeing payment of the current year's taxes; and further find and certify that all deferred payments or unmatured installments upon special assessments have been paid in full and that there is no special assessment procedure now pending against said land.

Creek County Treasurer

(SEAL)

PLANNING COMMISSION APPROVAL

I, _____ Chairman/Secretary of the
Sapulpa Metropolitan Area Planning Commission of _____
State of Oklahoma, hereby certify that the said Commission duly
approved the annexed map of _____
the _____ day of _____, 19____ on

Chairman/Secretary

DEPARTMENT OF ENVIRONMENTAL QUALITY CERTIFICATION

The Creek County office of the Department of Environmental Quality has approved the attached plat of _____ for the use of public water systems and on-site sewer systems on the _____ day of _____, _____.

Environmental Program Specialist
Department of Environmental Quality

(SEAL)

ACCEPTANCE OF DEDICATIONS AND EXCEPTIONS TO DEDICATIONS BY THE CREEK COUNTY BOARD OF COMMISSIONERS

BE IT RESOLVED by the Board of Commissioners of Creek County, Oklahoma, that the dedications but not the maintenance of utility easements and road right-of-way, shown on the attached plat of _____ are hereby accepted. The maintenance of any drainage easements and reserve areas shall remain the responsibility of the developer until or unless assumed by a mandatory homeowners association. The roads will be maintained by Creek County, Oklahoma, only upon certification by a professional engineer licensed to practice in the State of Oklahoma that the construction of said roads is in accordance with Creek County standards. Further, any maintenance of said roads shall be conditioned upon formal acceptance of said roads by a separate resolution of the Creek County Board of Commissioners.

Accepted this _____ day of _____, _____.

Chairman, Creek County Board of Commissioners

ATTEST:

Creek County Clerk

(SEAL)

**APPLICABLE WHERE SEPTIC TANKS OR OTHER PRIVATE
ON-SITE WASTE-WATER SYSTEMS ARE TO BE USED:**

I, _____ being a Professional Engineer licensed to practice in the State of Oklahoma, certify that a soil survey and test have been completed by _____ of testing laboratory, on _____ and that the proposed private methods of on-site wastewater disposal systems shall be designed, constructed and installed in accordance with the regulations of the Oklahoma Department of Environmental Quality.

Name/Signature/Seal

Further, I _____ being a duly employed and appointed representative of the Creek County Health Department have examined the results of the proposed private on-site wastewater disposal systems and have found them to be in accordance with the regulations and requirements of Creek County and the Oklahoma Department of Environmental Quality.

Name/Signature/Seal

Date

RELEASE OF MORTGAGE

In consideration of the platting of the property shown on the annexed map of _____, and other good and valuable considerations, receipt of which is hereby acknowledged, do hereby release, relinquish and forever discharge a certain mortgage made by _____ and dated the _____ day of _____ and dated the _____ day of _____, _____, to _____ which is recorded in the Book _____ of Mortgages at Page _____ of the records of Creek County, State of Oklahoma, insofar as the same covers all property dedicated for streets, alleys, parks, boulevards, easements or other public use, as shown on said map.

Witness _____ hand _____ this _____ day of _____, _____.

Typed Name/Signature

CREEK COUNTY TREASURER'S CERTIFICATE

I, _____ do hereby certify that I am the duly elected, qualified and acting Creek County Treasurer, State of Oklahoma. That the tax records of said County show all taxes are paid for the year _____ and prior years on the land shown on the annexed plat of _____ in Creek County, Oklahoma; that the required statutory security has been deposited in the office of the Creek County Treasurer, guaranteeing payment of the current year's taxes.

Creek County Treasurer Name/Signature

Date