



The City of Oklahoma City
 Development Services Department
 Subdivision & Zoning Division
 420 West Main St., Suite 910
 OKC, OK 73102
 405-297-2623

Staff use only

Date Filed _____

Ward # _____

Existing Zoning _____

APPLICATION FOR PRIVATE ROADWAY EASEMENT/RURAL 5-ACRE DEVELOPMENTS

Applicant: _____

General Location of private roadway easement/rural 5-acre development: _____

Part of the _____ Quarter, Section _____, Township _____ North, Range _____

NAME OF DEVELOPMENT OR STREET: _____

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS APPLICATION:

- a) One (1) **ORIGINAL** of the private roadway easement(s). The legal description of the easement(s) must be on the easement form or included as an attachment. The easement must be an original and not a faxed copy.
- b) A copy of the deed(s) to the subject property.
- c) If the applicant is not the owner of the property, a letter of authorization from the owner is required.
- d) A filing fee of \$1,000.00. Make check payable to "City Treasurer".
- e) Three (3) copies of a diagram and/or survey of the proposed tracts or parcels and private roadway easement(s). The diagram/survey must have dimensions of each tract/parcel and easement(s). See pages 2 and 3 for additional requirements.
- f) Attached is an example of a private roadway easement.
- g) All private roads must be paved in accordance with the attached detail from the Public Works Department.

Each tract or parcel within a five acre rural subdivision or abutting a private road easement must contain more than five acres. Adjacent statutory right-of-way (section line road) may be included in the size of each tract or parcel (Ordinance #22,319) if zoned AA Agricultural District. The private roadway easement may be included in the size of each tract or parcel. The private roadway easement must be at least 60 feet in width. The City of Oklahoma City will not be responsible for maintenance of the private roadway.

 Signature of Applicant

 Applicant PLEASE PRINT

 Phone

 Mailing Address

 City, State, Zip

Submittal requirements for review of five acre rural developments with private roads or individual private road easements:

The developer/applicant must submit all required documents noted below before the Development Services Department staff can commence review.

1. The application for private roadway easement/rural 5-acre developments, which must include the developers/applicants name, address and phone number and the name of the surveyor or engineer authorized to represent the property. If the application is signed by a surveyor or engineer, a letter of authorization from the property owner is required.
2. A plat of survey depicting the individual tract or tracts or private road easement. The plat of survey must be drawn at a scale of one hundred feet to an inch from an accurate survey on one or more 24" x 36" sheets. Developments that contain 80 or more acres may be drawn at a scale of two hundred feet to an inch.
3. The plat of survey must include the following:
 - a. boundary lines of the area being subdivided with accurate distances and bearings with land ties to at least one section corner; and the legal description of the property if the survey indicates individual tracts
 - b. private road easement locations, minimum 60' easement width; the legal description for the private road easement should describe the centerline of the easement with the note "30 feet on either side of the following described centerline".
 - c. dimensions of tracts and easements
 - d. for irregular shaped tracts, the width of the tract at the required front building line. {The required front building line for AA zoned property is measured 75 feet from the centerline of the private road easement.} DO NOT show the front building line on the survey. Minimum lot width in the AA district is 150 feet.
 - e. name of development
 - f. name of developer
 - g. name of surveyor or engineer
 - h. adjacent section line roads
 - i. legal description of entire development (unless survey depicts private road easement only)
 - j. identification numbers of the individual tracts (note them as "tracts" not "lots")
 - k. location map indicating subject area as it relates to section, township and range
 - l. any other information that may be necessary for the appropriate review of the subdivision.
4. A private road easement or easements must include the following:
 - a. legal description of each private road and the name of the private road. An example of the accepted type of private road easement is attached.
 - b. public utility easements are not a part of the approval process for five acre rural developments and must not be referenced on the private road easement.

5. Staff will notify the developer of a five acre rural subdivision/private road easement of any changes or additional information that may be required within approximately two weeks of the submittal date of the application. Any changes required by staff must be done by the applicant/developer prior to the official administrative approval of the five acre rural development or private road easement. After review of the five acre rural development or private road easement, the developer/applicant shall provide the staff an original of the plat of survey with all corrections made as required from the appropriate city departments.
6. The official approval of a five acre rural development/private road easement shall be placed on the face of the plat of survey and shall be in the form of a stamp with the notation "Approved as Authorized by the Oklahoma City Planning Commission this ____ day of _____, ____". The stamp shall also consist of the signature of the staff person approving the five acre rural development/private road easement.
7. After administrative review and approval of the rural development/private road easement, all private easements must be filed of record in the appropriate county clerks office prior to the official administrative approval of the five acre rural development or private road easement. Public utility easements are not a part of the approval process for five acre rural developments. Addresses of the proposed tracts shall be provided by the staff and noted on the plat of survey prior to its distribution.
8. Copies of the officially approved five acre rural development/private road easement shall be made by the staff and distributed to the appropriate departments, agencies and utility companies. The original plat of survey/private road easement shall be returned to the developer.

THE FOLLOWING SECTION IS FROM THE OKC MUNICIPAL CODE/CHAPTER 59/ZONING & PLANNING CODE:

5250.4. Delineation of Zoning District Boundaries.

- A. Zoning district boundary lines shall be established by government or rectangular survey, metes and bounds description, or the legal description of a lot contained in a plat of record.
- B. Where a property abuts a public or private street or alley right-of-way, the district boundary shall be considered to extend to the centerline of said right-of-way, whether or not the legal description of the adopted ordinance of rezoning includes said street.
- C. For purposes of applying the development regulations of an individual zoning district, all such requirements shall be calculated from the appropriate right-of-way line delineating a street or alley. However, for calculating lot size requirements within the AA Zoning District, the boundaries shall be calculated from the centerline of abutting streets and roads. For calculating the lot size requirements for mobile home residential within the R-1 Zoning District, the boundaries shall be calculated from the centerline of abutting streets and roads.

EXAMPLE

PRIVATE ROADWAY EASEMENT

I, We, (name of person providing easement), as Grantors, do hereby establish a permanent private roadway easement in accordance with the provisions of the applicable ordinances and regulations of the City of Oklahoma City, Oklahoma and the State Statutes of the State of Oklahoma, over and across the following described property in (____) County, Oklahoma, to-wit:

(insert legal description of easement)

Although Grantors shall in no way hinder the use of the herein conveyed easement, it shall be the duty of the abutting property owners, their heirs, successors and assigns to maintain said easement suitable for road purposes. It is understood that this easement shall not be accepted or maintained by the County of (____) or the City of Oklahoma City until the land covered thereby has been improved for street purposes in accordance with the regulations of the City of Oklahoma City and it is further expressly understood that police, fire inspection and health department vehicles and all official personnel who are in the process of performing their normal responsibility as city, county, state or federal employees shall have the right of access over and across said easement and that same shall be kept open and free from obstructions at all times.

It is understood that every deed of property abutting or adjacent to subject road easement shall clearly acknowledge said road easement. It is understood that a conspicuous sign shall be posted and maintained at the entrance of subject easement from any dedicated street to which it connects.

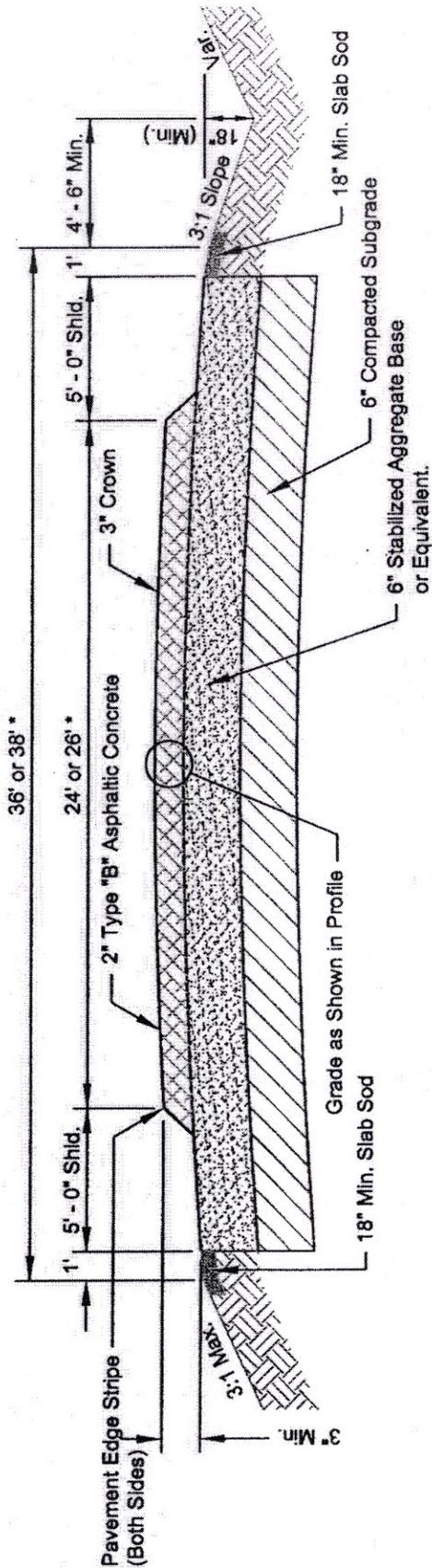
It is understood that upon filing of this easement that the said private road shall be known as (name of private road), a private road.

Executed and delivered this ____ day of _____, 19__.

STATE OF OKLAHOMA
COUNTY OF _____

(GRANTOR)

Before me, the undersigned, a Notary Public in and for the said County and State, on this ____ day of _____, 19__, personally appeared _____ to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that same was executed as the free and voluntary act and deed of said person 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 Signature)_____



* As specified by section 4.8.2 of the Subdivision Regulations.

• TYPICAL SECTION •
PUBLIC OR PRIVATE RURAL ROADWAY
 LOTS ONE ACRE OR GREATER IN SIZE
 • 102 •

PUBLIC OR PRIVATE RURAL ROADWAY

OKLAHOMA CITY
 PUBLIC WORKS ENGINEERING DIVISON

APPROVED BY:

Paul J. Brum
 PAUL J. BRUM, P.E. CITY ENGINEER

D-100-102

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