

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

DURANT PLANNING COMMISSION

5:30 PM

**Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma
AGENDA**

September 6, 2022

SWEARING IN OF DR. THOMAS NEWSOM

CALL TO ORDER

INVOCATION/FLAG SALUTE

ROLL CALL

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

- a. Consider Approval of Regular Meeting Minutes of August 8, 2022

2. Consider Items Removed from Consent

3. Information Items

4. Public Hearings

- a. Discussion, Consideration and Possible Action on PC2022-19, a Rezoning Request from I-1 Light Industrial District to the R-3 General Residential District and a Planned Unit Development for property located near Hillcrest Avenue and McLean Road.
- b. Discussion, Consideration and Possible Action on PC2022-20, a Re-Plat and Rezoning Request from the R-2 Two-Family Residential District to the R-3 General Residential District for property located near South Twelfth Avenue and West Texas Street.
- c. Discussion, Consideration and Possible Action on PC2022-21, a Rezoning Request from the A-1 General Agricultural District to the R-1 Single-Family Residential District for property located along Cemetery Road.

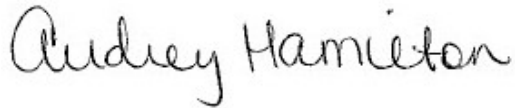
- d. Discussion, Consideration and Possible Action on PC2022-22, a Rezoning Request from the R-1 Single-Family Residential, C-2 Highway Commercial and Commercial Recreation and the I-1 Light Industrial District to the I-1 Light Industrial District for property located at 1903 North First Avenue.

5. New Business

ADJOURNMENT

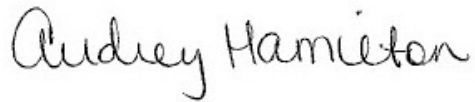
CERTIFICATE

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 8th day of December, 2021 and that an agenda of said meeting was posted at the place of such meeting at 04:30 p.m. on the 1st day of September, 2022.



Audrey Hamilton, City of Durant

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 8th day of December, 2021 and that an agenda of said meeting was posted at the place of such meeting at 09:00 a.m. on the 4th day of August, 2022.



Audrey Hamilton, City of Durant

MINUTES OF THE MEETING OF DURANT PLANNING COMMISSION
August 8, 2022 AT 5:30 PM, Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma

CALL TO ORDER

Chairman Jackson called the meeting to order at 5:30 p.m.

INVOCATION/FLAG SALUTE

Commission Member Horner provided the invocation. Vice Chairman Knight led the flag salute.

ROLL CALL

Present:

Planning Commission Chairman Drew Jackson
Planning Commissioner Vice Chairman Shane Knight
Planning Commissioner Clent Horner
Planning Commissioner Whitney Kerr

Absent:

None

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

a. Consider Approval of Regular Meeting Minutes of July 5, 2022

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

Motion Passed with the following vote:

Ayes: Jackson, Knight, Horner, Kerr

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Information Items

4. Public Hearings

- a. Discussion, Consideration and Possible Action on PC 2022-18, a Final Plat request for property located near West Main and State Highway 70

Danielle O'Neal reviewed with the Planning Commission members a request from Texoma Victory Real Property Investment LLC for a Final Plat for property located near West Main Street and State Highway 70. The applicants approached staff regarding filing for a final plat request for Phase II of the Durant Victory Subdivision. This final plat has thirty-five (35) lots, in which the applicant stated the lots would contain single-family homes that will have their own driveways. The subject property is approximately a total of 8 acres. The applicant has 35 lots on the plat. The application indicates there will be single-family homes with their own driveways for each lot. The property will be served by Rural Water District #2 and city sewer has been extended to the property. Streets have been completed for the development as well. City Staff has inspected and signed off on the sewer as well as the streets for the final plat. The Board of Adjustment approved lots 1-11 and lots 26 and 27 to have a front setback of 15 feet, and that is indicated on the final plat. Staff has signed off on the sign off sheet with no comments. The current Land Use Map has this area as residential and commercial mixed-use; therefore, this request is generally in line with the Comprehensive Plan. Notifications have been made to the surrounding property owners and at the time of this report no letters or phone calls have been received by staff.

Danny Khoury spoke in favor of this item.

Motion was made by Vice Chairman Knight and seconded by Commission Member Kerr to approve the request as presented.

Motion Passed with the following vote:

Ayes: Jackson, Knight, Horner, Kerr

Nays: None

Abstain: None

5. New Business

There was no new business.

ADJOURNMENT

Motion made by Commission Member Horner and seconded by Vice Chairman Knight to adjourn the meeting.

Motion Passed with the following vote:

Ayes: Jackson, Knight, Horner, Kerr

Nays: None

Abstain: None



The City of Durant

Memorandum

Date: 9/6/2022
To: Mayor and City Council
From:
Re: Information Items

Council Information / Action Requested

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

ATTACHMENTS:



THE CITY OF DURANT

Office of Community Development

Date: 09/06/2022
To: Planning Commission
Case: PC 2022-19
From: Danielle O'Neal, Community Development Director
Re: Rezoning from the I-1, Light Industrial District to the R-3, General Residential District and a Planned Unit Development Request for property located near the intersection of Hillcrest Avenue and McLean Road

Request: Consider a request from SG Block, Inc., for a Rezoning from the I-1, Light Industrial District to the R-3, General Residential District and a Planned Unit Development for property located near the intersection of Hillcrest Avenue and McLean Road.

Current Zoning: I-1, Light Industrial and R-3, General Residential

Requested Zoning: R-3, General Residential

Surrounding Properties:

Direction	Zoning	Use
North	R-3	Residential
West	R-3	Vacant
South	I-1	Vacant
East	I-2	Industrial

Lot Characteristics: (Total)

Width	~ 667 ft.
Depth	~ 2567 ft.
Total Area	~40 acres (~1,712,189 sq. ft.)

Applicant: SG Block, Inc.

Background: The applicant approached staff regarding a request for a Rezoning and Planned Unit Development (PUD) to place a multi-family development upon the 40 acres. The applicant states this will be a phased development. The applicant states this will be a gated community with controlled access off McLean and Hillcrest.

Notifications have been made to the surrounding property owners and at the time of this report staff has received a few phone calls regarding this project (see attached). Staff has not received any letters regarding this request.

Analysis: The aforementioned property is approximately 40 acres total and currently is a vacant piece of property. The surrounding area is made up of a mix of Residential, Industrial and Agriculture Zoned properties. The subject property does meet the requirements for the lot area that is required within the requested Planned Unit Development and rezoning request.

The development shows that the entire 40 acres will be developed into a multi-family housing community that is developed into two phases. This development will meet the required setbacks, parking as well as having sidewalks and streetlights as required within ordinance. There does appear to be City water and sewer in the area. The applicant is having discussions with Public Works regarding infrastructure needs within the area. Any infrastructure on the property is expected to be private.

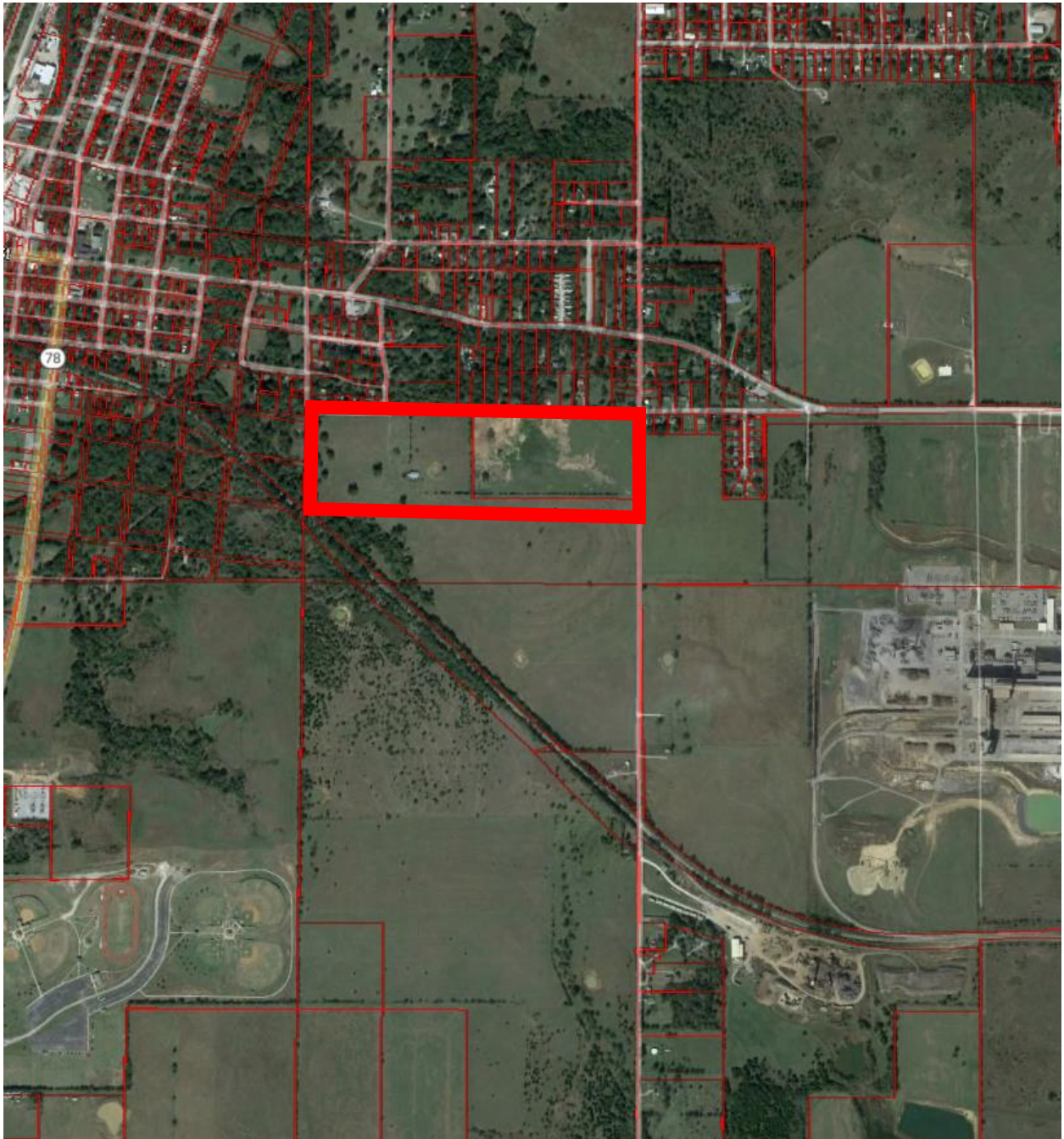
Staff members reviewed and signed off on this project. Staff did have a few questions and those are expected to be addressed during the plan submittal stage should this request be approved. Community Development and Neighborhood Services has a comment that the applicant will be required to obtain a Stormwater Permit from the Oklahoma Department of Environmental Quality (ODEQ) and provide a copy of their permit and Stormwater Pollution Prevention Program (SW3P) plans to city staff before a building permit can be obtained.

The current Future Land Use Map has this area as industrial land uses; therefore, this PUD and rezoning request is not in line with the Future Land Use Map. As a note, the request is in line with the goals within the Comprehensive Plan.

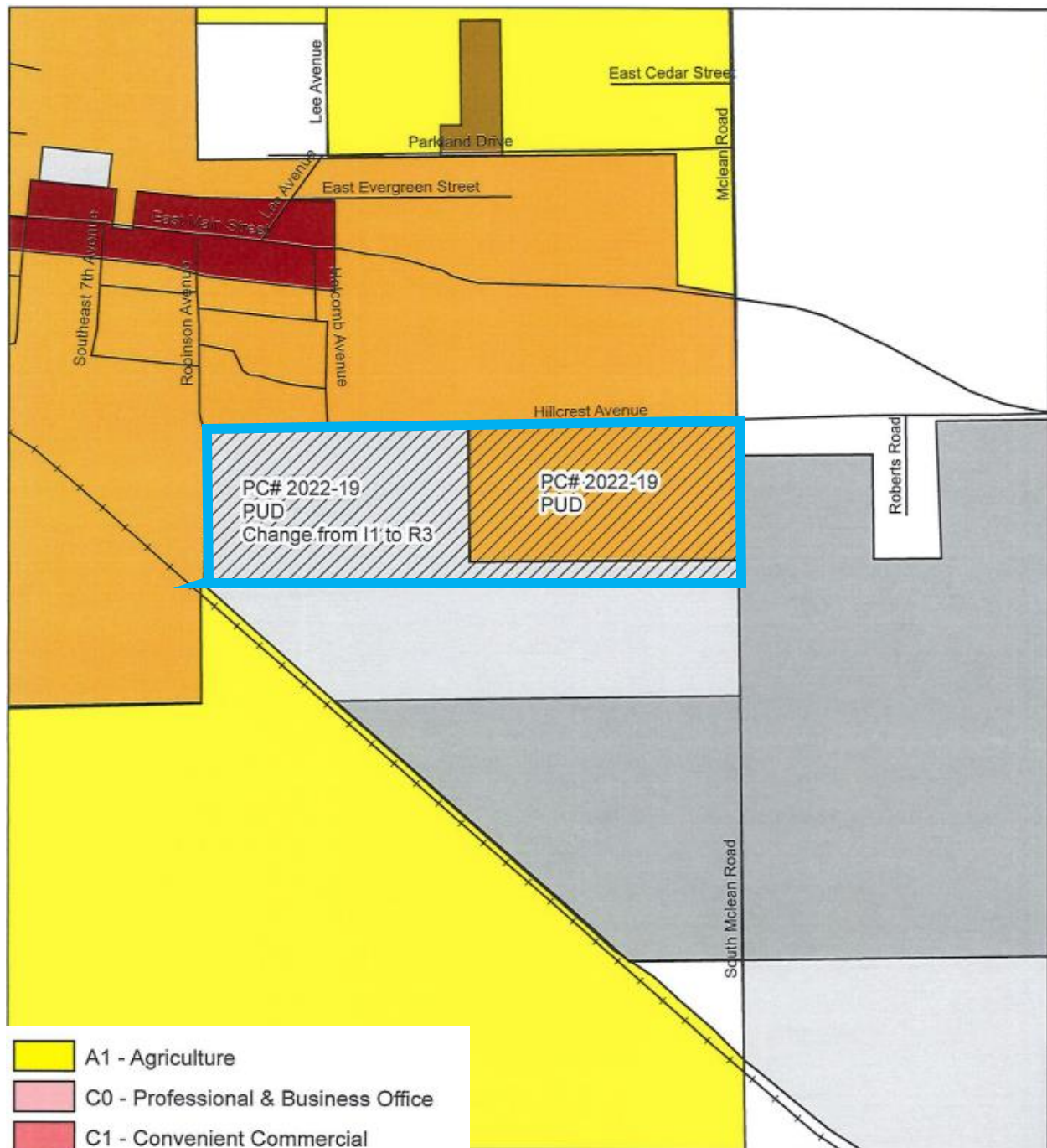
Staff Recommendation: While staff has no issues with this project and it is in line with some of goals of the Comprehensive Plan, the request is not in line with the current Future Land Use Map.

Required Action: Hold a public hearing to recommend approval or denial of the Rezoning from the I-1, Light Industrial District to the R-3, General Residential District and a Planned Unit Development request for the property located near the intersection of Hillcrest Avenue and McLean Road. Any specific conditions imposed by the Commission should be read into any approval motion.

Aerial Map

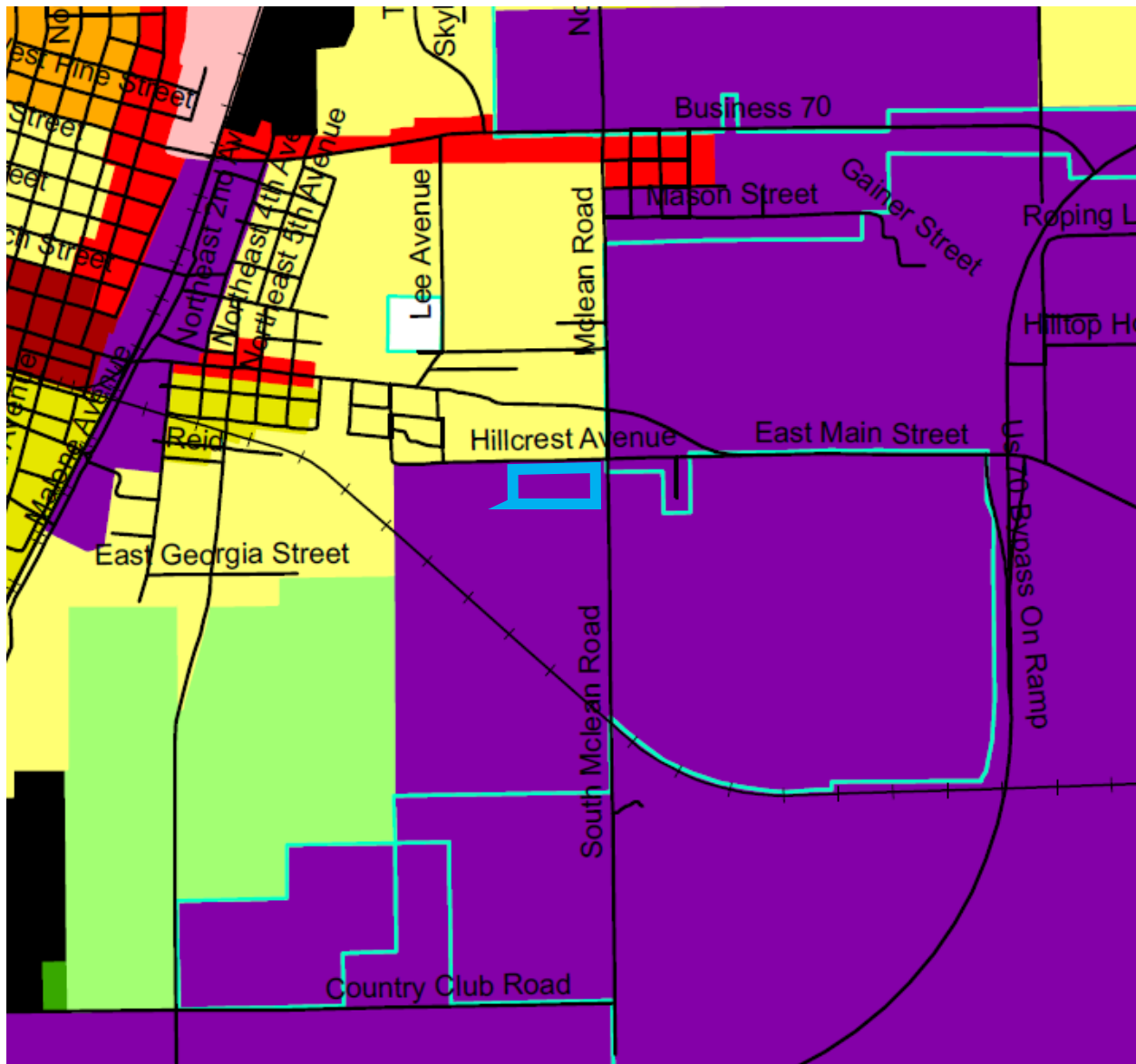


Zoning Map



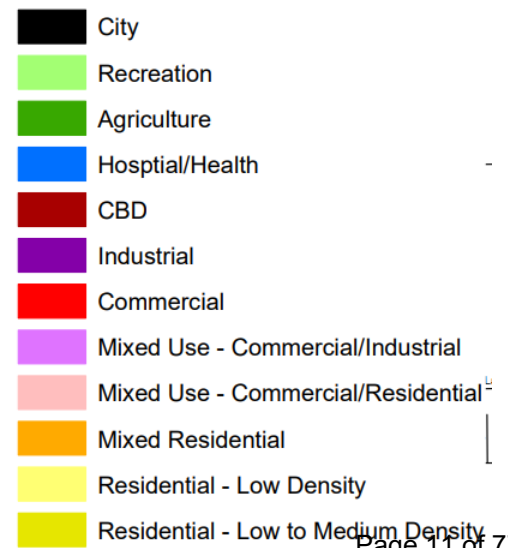
- A1 - Agriculture
- C0 - Professional & Business Office
- C1 - Convenient Commercial
- C2 - Highway Commercial
- C3 - General Commercial
- CBD - Central Business District
- H1 - Health Facilities
- I1 - Light Industrial
- I2 - Medium Industrial
- R1 - Single Family Residential
- R2 - Two Family Residential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

Future Land Use Map



Location is approximate

Future Land Use



ORDINANCE NO. **O-2022-XX**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE ZONING CODE
AND DECLARING AN EMERGENCY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DURANT, OKLAHOMA

SECTION 1. That the zoning map is hereby amended as to replace the I-1 Light Industrial Zoning Districts to the R-3, General Residential Zoning District for property located near Hillcrest Avenue and McLean Road, in Durant, and more particularly described as;

Being a part of the S/2 SE/4 of Section 33, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma and being a part of Tract 2 of lands conveyed by deed of record in Book 1589, Page 533, Bryan County, Clerk Records, Oklahoma and being more particularly described by metes and bounds as follows:

*Beginning at a mag nail found with a flasher marked LPLS 1827 at the East Quarter Corner of said Section 33; Thence South 00°40'22" East, a distance of 1,978.63 feet to a 1/2" steel rod found being the **True-Point-of-Beginning**;*

*Thence **South 00°40'22" East**, along the east line of the SE/4 SE/4 of said Section 33, a distance of **99.49 feet** to a mag nail set with an aluminum washer marked LPLS 1992;*

*Thence **South 89°01'07" West**, a distance of **2,603.52 feet** to a 1/2" steel rod set with an aluminum cap marked LPLS 1992 in the north right-of-way line of a railroad;*

*Thence **North 48°30'06" West**, along the north right-of-way line of said railroad, a distance of **33.83 feet** to a 1/2" steel rod set with an aluminum cap marked LPLS 1992 for the intersection of the north right-of-way line of said railroad and the west line of the SW/4 SE/4 of said Section 33;*

*Thence **North 00°59'41" West**, along the west line of said SW/4 SE/4 of said Section 33, a distance of **736.27 feet** to a 1/2" steel rod set with an aluminum cap marked LPLS 1992 for the northwest corner of the SW/4 SE/4 of said Section 33;*

*Thence **North 89°01'07" East**, along the north line of the S/2 SE/4 of said Section 33, a distance of **1,316.55 feet** to a 1/2" steel rod found with a cap marked LPLS 1566 maintaining the northeast corner of SW/4 SE/4 of said Section 33;*

*Thence **South 00°50'17" East**, along the east line of the SW/4 SE/4 of said Section 33, a distance of **659.11 feet** to a 1/2" steel rod found with a cap marked LPLS 1566;*

*Thence **North 89°02'27" East**, a distance of **1,314.27 feet** to the **Point-of-Beginning** and containing **25.928 acres** of land. Basis of Bearing Oklahoma State Plane Coordinate System, Oklahoma South (3502) (NAD 83), (Grid North) This property description was prepared on (8/1/2022) by John C. Copley, Licensed Professional Land Surveyor No. 1992.*

SECTION 2. For the immediate preservation of the peace, health, and safety of the City of Durant, Oklahoma and the inhabitants thereof, it is necessary that this ordinance shall become operative and go into effect immediately upon its passage, approval and publication.

PASSED AND APPROVED by the Mayor and City Council of the City of Durant this 13th day of September, 2022.

Oden Grube, Mayor
City Of Durant, Oklahoma

ATTEST:

Cynthia J. Price, City Clerk

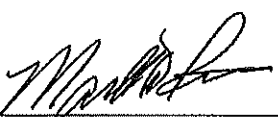
9/1/2022; 4:08 PM

Page 1 of 1

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COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

McLean PH I PUD PC2022-19

Department	Signature	Date	Notes
Com Dev Director Danielle O'Neal		8/29/22	retain SWP3d permit w/ ODEQ & provide copy to City
M&O Randy Cantrell		08-24-2022	
Streets Carl Meade		8-29-22	concern of traffic
Public Works Director Phillip Hightower		8-24-22	
Fire Marshal Jonathan Strahorn		8-28-2022	Fire hydrant locations, waterline sizes and routes, paving specifications
Building Official Mark Pierce		8-24-22	Setbacks? ☒ stormwater permit
Engineer Brandon Wall	see email attached	8/20/22	none at this time



Danielle O'Neal <doneal@durant.org>

McLean & Hillcrest - PUD & Plat

brandon@wallengineering.com <brandon@wallengineering.com>
To: Danielle O'Neal <doneal@durant.org>

Sat, Aug 20, 2022 at 8:03 AM

Danielle,

We have no comments at this time. I would suspect there will be some during plan submittals.

Thanks,

Brandon Wall, P.E., President

Wall Engineering, LLC

PO Box 1457, Durant, OK 74702 (mailing)

223 N Washington, Durant, OK 74701 (physical)

(c) 580.931.7998

[Quoted text hidden]

PLANNED UNIT DEV. APPLICATION (PUD)

Petition # _____
Fee \$ _____

PROVIDE INFO

APPLICANT INFORMATION

954-646-8457

Name: <u>SG BLOCKS, INC</u>	Email: <u>DRUCIEN@SGBLOCKS.COM</u>	Phone #1
Mailing Address: <u>5011 GATE PARKWAY BLD. 100 SUITE 100</u>		Phone #2
City: <u>JACKSONVILLE FL</u> State: <u>FL</u> Zip: <u>32256</u>		Fax #
Applicant's Interest in Property: <u>OWNER</u>	Consultant Contact: Dani Fields, Wallace Design Collective 123 N MLK Blvd, Tulsa, OK 74103 dani.fields@wallace.design 918-584-5858	

☐ Please use attached addendum if there is more than one applicant.

Physical Address of proposed PUD:		Name of Project:	
☐ Platted ☒ Un-Platted	Subdivision	Lot	Block
Legal Description: (If Un-platted)			

Existing Zoning: <u>I-1 (west), R-3 (east)</u>	Proposed Use: <u>R-3 (pending rezone from I-1 to R-3 on western 20 acres)</u>		
Present Use: <u>Vacant</u>	Parking Spaces Required:	Parking Spaces Provided:	
Parcel Width:	Parcel Length:	Acres: <u>40</u>	Street/Road Frontage: <u>Hillcrest Ave and McLean Ave</u>
☒ City Water	(If City Water will be extended or improvements will be made, please explain: <u>See conceptual site/utility plan</u>)		
☒ City Sewer	(If City Sewer will be extended or improvements will be made, please explain: <u>See conceptual site/utility plan</u>)		
☐ Private Water	☐ Private Sewer		
Explain in your own words why your property should be a Planned Unit Development.			

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

Sign [Signature]
Applicant: SG BLOCKS, INC Date: 7-29-22
DAVID RUICEN

Office Use Only

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

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

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

See Attached

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:

See Attached

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

See Attached

3. Traffic Impacts:

See Attached

4. Protection of Neighborhoods:

See Attached

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

See Attached

Please list or describe any other reasons to support this Planned Unit Dev. Permit Application.

See Attached

McLean Dr Phase 1-Durant, OK

PUD Application Narrative

July 28, 2022

McLean Ave Development is a multi-family development that will assist with the need for multi-family housing in the area. The subject property is 40 acres and is off Hillcrest Ave and McLean Dr.

The north and west neighboring areas are zoned R-3 with a much lower density than typical R-3. Abutting the property to the south is zoned I-1 and the property to the east is I-2. A portion of the south west boundary of the subject site is abutting the Kiamichi Railroad right-of-way which abuts A-1 zoned property

The Durant Comprehensive Land Use Plan designates this area Industrial.

The Comprehensive Plan Goals State:

Encourage live/work development opportunities by:

- Use subarea plans to identify targeted areas for redevelopment and infill activity.*
- Develop standards and guidelines to promote the development, redevelopment and revitalization of underutilized areas as live/work developments.*
- Promote, encourage and stimulate (when possible) compatible infill within targeted redevelopment areas.*
- Assess the effect and, if necessary, modify policy and regulations related to live/work developments.*

The rezoning application asks the applicant to address the following three elements:

- 1) Please describe the nature and operating characteristics of the proposed use:*

With the future development of a large manufacturer to the south and other industries, the residential need has increased. This project will meet the goal of encouraging a live/work development and providing affordable multi-family housing.

State how the following issues will be addressed:

1) Parking:

One tandem garage provided per unit – 1.5 spaces per tandem garage

- Residential Phase 1 - $416 \times 1.5 = 624$ spaces provided.
- Residential Phase 2 - $384 \times 1.5 = 576$ spaces provided.
- Total tandem garage spaces provided for Phase 1 and 2 - 1,200 spaces

Off-street parking:

- Residential Phase 1 – 433 off-street spaces provided
- Residential Phase 2 – 384 off-street spaces provided
- Total off-street parking provided – 817 spaces

Grand Total (All Residential Phases): 2,017 spaces provided

2) Screening of offensive areas:

All screening will meet or exceed the City's requirements. Future planned industrial phase will provide an east/west buffer, berm and vegetative screening along the north boundary of the industrial development (south of residential boundary)

3) Traffic Impacts:

Traffic on both Hillcrest and McLean will increase – current plan shows 1 egress per phase along Hillcrest with controlled/gated emergency access. Mclean will have one controlled/gated ingress/egress for both phases

4) Protection of Neighborhoods:

The proposed residential development will provide a transition between the existing residents north of Hillside and the future industrial development to the south.

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

Property will need to be rezoned with a PUD and plat.

6) *Please list or describe any other reasons to support this Planned Unit Development Permit Application.*

As discussed, the public benefit comes from encouraging a land use that establishes a “step-up” transition toward the ultimate vision of the Comprehensive Plan on property which would otherwise remain unproductive and possibly neglected.

The city should allow such uses that fulfill the objectives described in the Plan. With approval, it should establish appropriate conditions that help ensure compatibility with the development’s surroundings. The proposed project will help to fulfill the increasing demand for housing in and around Durant. The project will demonstrate a unique and creative way to serve the local real estate market and spur future development activity and ultimately promote future private investment in Durant.

REZONING APPLICATION

Petition # _____
Fee \$ _____

APPLICANT INFORMATION

PROVIDE INFO

Name: <u>SG BLOCKS INC</u>	Email: <u>DLULIEN@SGBLOCKS.COM</u>	Phone #1: <u>934.646-8457</u>
Mailing Address: <u>5011 GATE PARKWAY BLD 100 SUITE 100</u>	Phone #2: _____	
City: <u>JACKSONVILLE</u>	State: <u>FL</u>	Zip: <u>32256</u>
Applicant's Interest In Property: <u>OWNER</u>	Consultant Contact: <u>Dani Fields, Wallace Design Collective</u> 123 N MLK Blvd, Tulsa, OK 74103 dani.fields@wallace.design 918-584-5858	Fax #: _____

___ Please use attached addendum if there is more than one applicant.

Physical Address of Rezoning Request:			
☐ Platted ☒ Un-Platted	Subdivision	Lot	Block
Legal Description: (If Un-platted)			

___ Deed Attached (required) If applicant is not owner listed on deed, owner consent must be included.

Request Rezoning From: <u>I-1</u>	Request Rezoning To: <u>R-3</u>		
Present Use: <u>Vacant</u>	Proposed Use: <u>Multi-Family</u>		
Parcel Width:	Parcel Length:	Acres:	Street/Road Frontage:
☒ City Water (If City Water will be extended or improvements will be made, please explain:) <u>TBD</u>			
☒ City Sewer (If City Sewer will be extended or improvements will be made, please explain:) <u>TBD</u>			
___ Private Water		___ Private Sewer	
Is Property in the Floodplain? <u>No</u>	Is property in the Airport Zone. <u>No</u>		

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

Sign

[Signature]
Signature of Applicant
SG BLOCKS INC

7-28-27
Date

Office Use Only

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

REZONING SUPPORTING INFORMATION

1. List the changed or changing conditions in the area or in the City which makes this zone change necessary.

SEE ATTACHED NARRATIVE

2. Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

SEE ATTACHED NARRATIVE

3. List any other reasons to support this zone change.

SEE ATTACHED NARRATIVE

McLean Dr. Phase 1-Durant, OK

Rezoning Application Narrative

July 28, 2022

McLean Ave Development is a multi-family development that will assist with the need for multi-family housing in the area. The subject property is 40 acres and is off Hillcrest Ave and McLean Dr.

The west neighboring property is zoned R-3 with mostly single-family home. Abutting the property to the south is zoned I-1 and I-2 and the property to the east is I-2. The Kiamichi Railroad runs along part of the western boundary.

The Durant Comprehensive Land Use Plan designates this area Industrial.

The Comprehensive Plan Goals State:

Encourage live/work development opportunities by:

-Use subarea plans to identify targeted areas for redevelopment and infill activity.

-Develop standards and guidelines to promote the development, redevelopment and revitalization of underutilized areas as live/work developments.

-Promote, encourage and stimulate (when possible) compatible infill within targeted redevelopment areas.

-Assess the effect and, if necessary, modify policy and regulations related to live/work developments.

The rezoning application asks the applicant to address the following three elements:

1) List the changed or changing conditions in the area or in the City which makes this zone change necessary.

With commercial and industrial growth within the city and surrounding area, the need for multi-family housing has increased. With the future development of a large manufacturer to the south and other industries, this project will meet the goal of encouraging a live/work development and providing affordable multi-family housing.

2) Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain.

This development supports the Comprehensive Plan in providing housing for multi-family units and allow for a work/live balance.

3) List any other reasons to support this zone change.

The proposed use development in this area of Durant is important for investment and future development activity for this part of Durant and ultimately will support long-term growth opportunities for the City as a whole .

The proposed use supports a forward thinking vision for cutting edge ideas in residential living and will help meet the increasing demand for multifamily housing in the City of Durant and surrounding areas.

Bryan County Abstract Company
Serving Bryan County Since 1903

After recording, return to:
SG Echo, LLC
Attn: Gerald Sheeran
1901 Central Dr. #130
Bedford, TX 76021



1-2022-742090 Book 1589 Pg: 533
02/28/2022 9:15 am Pg 0533-0533
Fee: \$ 18.00 Doc: \$ 1,297.50
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

WARRANTY DEED
STATUTORY CORPORATION

Documentary Stamps: \$1,297.50

That Durant Industrial Authority, (the "Grantor"), in consideration of the sum of TEN & NO/100 Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby, grant, bargain, sell and convey unto SG Blocks, Inc., a corporation, (the "Grantee"), the following described real property and premises situate in Bryan County, Oklahoma, to wit:

Tract 1: All that part of Lots 1 and 2 lying North and East of the Railroad Right-of -Way in Section 4, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma according to the Government Survey thereof.

Tract 2: The S/2 SE/4 SE/4 and all of that part of the SW/4 SE/4 lying North and East of A&C Railroad Right-of Way in Section 33, Township 6 South, Range 9 East of the Indian Base and Meridian in Bryan County, Oklahoma, according to the Government Survey, thereof. LESS AND EXCEPT a roadway and utility easement reserved by Seller more particularly described as follows: The North 80 feet of the West 60 feet of the Southwest Quarter (SW/4) of the Southeast Quarter (SE/4) of Section 33, Township 6 South, Range 9 East.

Tract 3: The N/2 SE/4 SE/4 of Section 33, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof.

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same. SUBJECT TO easements, rights of way, restrictive covenants of record.

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

Signed and delivered this 25th day of February, 2022.

Durant Industrial Authority

By Jeff Hammock, Chairman

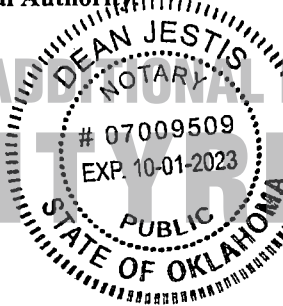
STATE OF OKLAHOMA
Bryan County
Documentary Stamps \$ 1,297.50

ACKNOWLEDGMENT - OKLAHOMA FORM

STATE OF OKLAHOMA }
COUNTY OF BRYAN } ss.

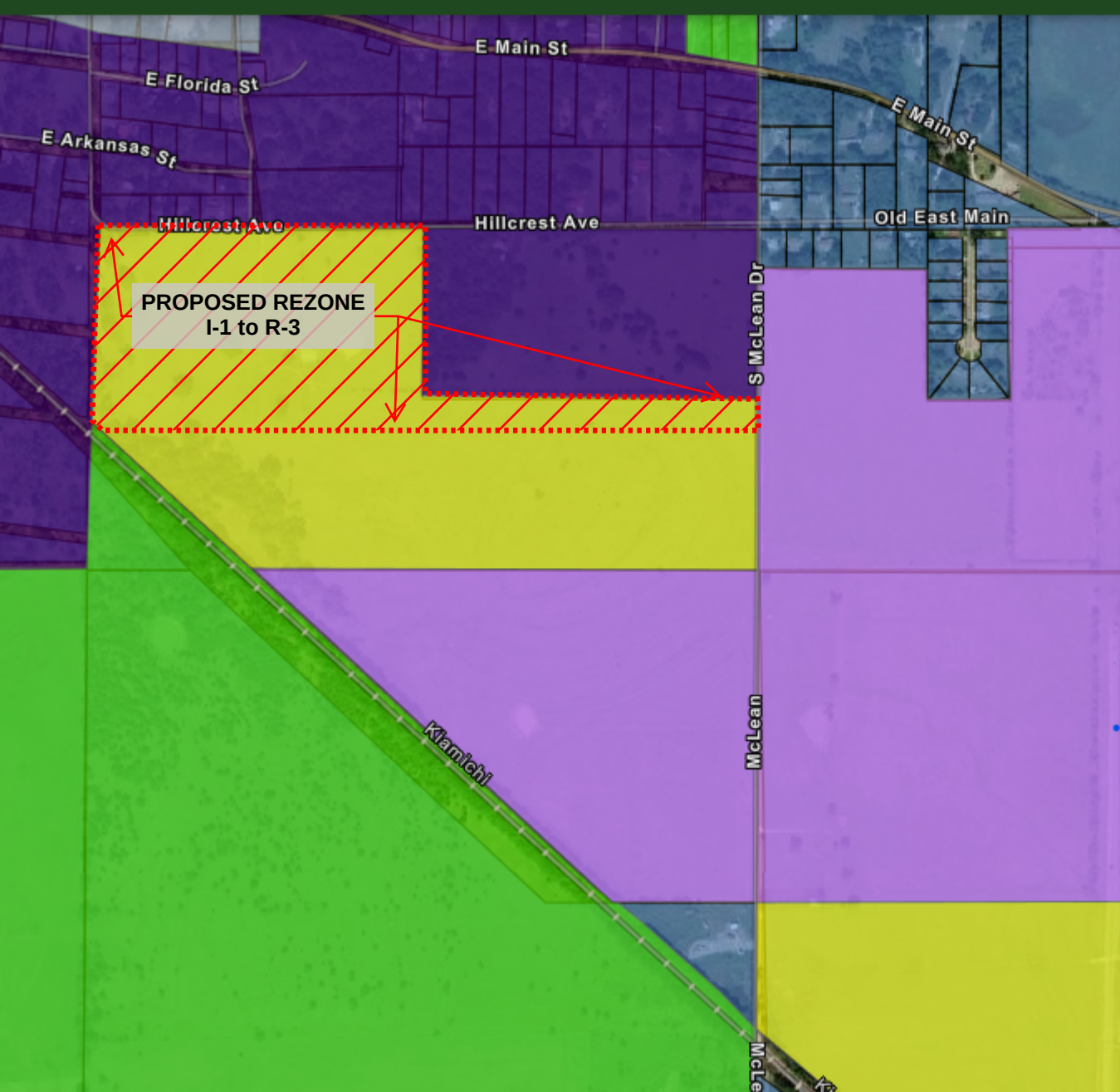
This instrument was acknowledged before me on this 25th, day of February, 2022 by Jeff Hammock, as Chairman of Durant Industrial Authority.

Commission No.:



Dean Jestis Notary Public
My Commission Expires: October 1, 2023

File No.: 2021110066
Name of Title Insurer: First American Title Insurance Company



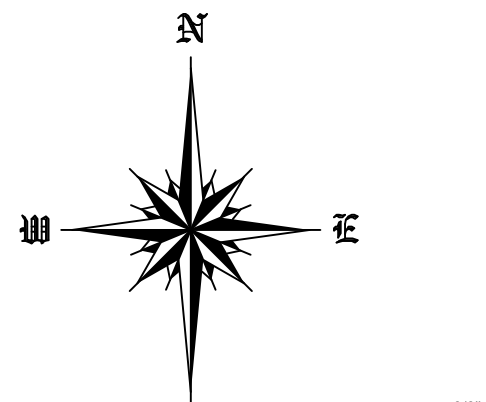
Legend

City_of_Durant_Zoning

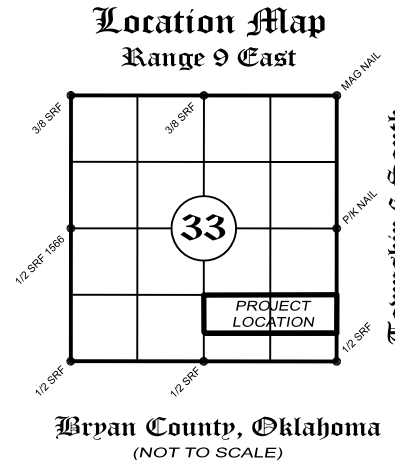
-  Annex Zones
-  A-1
-  CBD
-  C-0
-  C-1
-  C-2
-  C-3
-  H-1
-  I-1
-  I-2
-  R-1
-  R-2
-  R-3
-  R-4

Bryan County Parcel Public View





-BASIS OF BEARINGS-
OKLAHOMA STATE PLANE COORDINATE SYSTEM
OKLAHOMA SOUTH (3502) (NAD 83)
BEARINGS DERIVED BY DIFFERENTIAL GPS
CONTROLLING CORNERS ARE EXISTING MONUMENTS FOUND AT THE
SECTION CORNERS AND THE QUARTER CORNERS OF SECTION 33,
TOWNSHIP 6 SOUTH, RANGE 9 EAST
INDIAN BASE AND MERIDIAN
BRYAN COUNTY, OKLAHOMA



Final Plat of McLean Addition an addition to Durant, Oklahoma

County Treasurer's Certificate

I, _____ do hereby certify that I am the duly elected, qualified and acting County Treasurer of Bryan County, State of Oklahoma. That the tax records of said county show all taxes are paid for the year 2022 and prior years on the land shown on the Final Plat of McLean Addition in Bryan County, Oklahoma.

In witness whereof I have executed this instrument at _____, Oklahoma, on this _____ day of _____, 2022.

County Treasurer

Notary

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2022, personally appeared _____ to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes therein set forth.

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

Notary Public

My commission expires: _____

City of Durant Council Approval

It is acknowledged by the City of Durant Planning Commission that the Plat of McLean Addition, an addition to the City of Durant, Bryan County, Oklahoma has been approved at a meeting on the _____ day of _____, 2022.

ADOPTED by the Council of the City of Durant, Oklahoma this _____ day of _____, 2022.

City Clerk

Mayor

Notary

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2022, personally appeared _____ to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes therein set forth.

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

Notary Public

My commission expires: _____

City Planning Commission Approval

It is acknowledged by the City of Durant Planning Commission that the Plat of McLean Addition, an addition to the City of Durant, Bryan County, Oklahoma has been approved at a meeting on the _____ day of _____, 2022.

Planning Commission Chair

Planning Commission Secretary

Notary

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2022, personally appeared _____ to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes therein set forth.

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

Notary Public

My commission expires: _____

Department of Environmental Quality Approval

The Oklahoma Department of Environmental Quality certifies that this plat is approved for the construction of a public water system this _____ day of _____, 2022.

Environmental Specialist

Certificate of Survey

I, John Copley a Licensed Professional Land Surveyor in the State of Oklahoma, hereby certify that I have made a careful survey of the foregoing described property designated as *Final Plat of McLean Addition, Durant, Oklahoma* and that the above foregoing plat represents said survey and that 1/2" steel rods with aluminum caps marked (COPLEY LPLS 1992) have been placed at all new lot corners.

This Plat of Survey meets 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.

Witness my hand and seal this _____ day of _____, 2022.

John Copley
Licensed Professional
Land Surveyor No. 1992
C.A. NO. 8278

Notary

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2022, personally appeared John Copley to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

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

Notary Public

My commission expires: _____

Bryan County Clerk Certificate

STATE OF OKLAHOMA) SS
COUNTY OF BRYAN)

This instrument was filed on the _____ day of _____, 2022 at _____ and duly recorded in Book Number _____ Page _____.

Bryan County Clerk

Clerk

Owners Certificate & Dedication

Being a part of the S/2 SE/4 of Section 33, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma and being a part of Tract 2 and all of Tract 3 of lands conveyed by deed of record in Book 1589, Page 533, Bryan County, Clerk Records, Oklahoma and being more particularly described by metes and bounds as follows:

Beginning at a mag nail found with a flasher marked LPLS 1827 at the East Quarter Corner of said Section 33; Thence South 00°40'22" East, a distance of 1,319.00 feet to a mag nail found with a flasher marked LPLS 1566 maintaining the northeast corner of the SE/4 SE/4 of said Section 33 and being the **True-Point-of-Beginning**;

Thence **South 00°40'22" East**, along the east line of the SE/4 SE/4 of said Section 33, a distance of **759.12 feet** to a 1/2" steel rod set with an aluminum cap marked LPLS 1992;

Thence **South 89°01'07" West**, a distance of **2,603.52 feet** to a 1/2" steel rod set with an aluminum cap marked LPLS 1992 in the north right-of-way line of a railroad;

Thence **North 48°30'06" West**, along the north right-of-way line of said railroad, a distance of **33.83 feet** to a 1/2" steel rod set with an aluminum cap marked LPLS 1992 for the intersection of the north right-of-way line of said railroad and the west line of the SW/4 SE/4 of said Section 33;

Thence **North 00°59'41" West**, along the west line of said SW/4 SE/4 of said Section 33, a distance of **736.27 feet** to a 1/2" steel rod set with an aluminum cap marked LPLS 1992 for the northwest corner of the SW/4 SE/4 of said Section 33;

Thence **North 89°01'07" East**, along the north line of the S/2 SE/4 of said Section 33, a distance of **2,632.73 feet** to the **Point-of-Beginning** and containing **45.836 acres** of land. Basis of Bearing Oklahoma State Plane Coordinate System, Oklahoma South (3502) (NAD 83), (Grid North) This property description was prepared on (7/28/2022) by John C. Copley, Licensed Professional Land Surveyor No. 1992.

We hereby offer for dedication to the public use all streets and avenues, parks and public facilities, and easements as shown on the Final Plat of McLean Addition to Bryan County, Oklahoma. The transaction of this irrevocable offer of dedication shall be consummated upon the execution of the Certificate of Acceptance of Dedication.

In witness whereof, SG BLOCKS, INC., has caused these presents to be signed this _____ day of _____, 2022.

Attest:

Authorized Signer

Owners Notary

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2022, personally appeared _____ to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes therein set forth.

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

Notary Public

My commission expires: _____



DATE OF LAST SITE VISIT:
12-6-2021

Copley Land Surveying

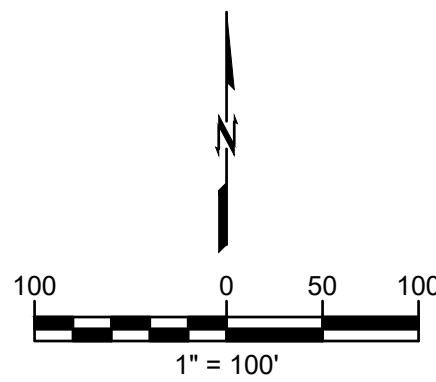
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0643, 817-560-960-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
SG BLOCKS, INC.
DURANT, OKLAHOMA

SURVEYOR
JOHN C. COPLEY
L.P.L.S. NO. 1992
1702 VERDI LN.
SHERMAN, TEXAS

ENGINEER
DANNY BALDWIN
LICENSE #23671





PHASE 1 PARKING SUMMARY	
VAN ACCESSIBLE	5
HANDICAP ACCESSIBLE	15
STANDARD (OFF-STREET)	364
(GARAGE)	576
TOTAL PARKING	960

SITE DATA	
TOTAL SITE AREA:	1,895,779 SF/43.521 ACRES
TOTAL DISTURBED AREA:	58,806 SF/1.35 ACRES
OPEN SPACE AREA:	
MINIMUM OPEN SPACE REQUIRED - 10%/ SF	
OPEN SPACE PROVIDED - 27%/503,187 SF	
ZONING R-3 EXISTING (EAST)	
I-1 REZONE TO R-3 WEST	

PLANNED DEVELOPMENTS

§ 156.090 PUD PURPOSES.

(A) The purposes of Planned Unit Development are:

(1) To permit flexibility that will encourage a more creative approach in the development of land and will result in a more efficient use of open area or will facilitate orderly land use transitions, while maintaining density and area coverage permitted in the general zoning district or districts in which the project is located; and

(2) To permit flexibility in design, placement of buildings, and use of open spaces, circulation facilities, and off-street parking areas, and to best utilize the potential of sites characterized by special features of geography, topography, parcel size, or shape or proximity to sensitive land use areas.

(B) It is the intent of this section to provide for a change in the size of tracts in which a Planned Unit Development is permitted.

(1) Eligible properties must normally be two acres or larger in size (gross acreage).

(2) Slightly smaller parcels, between one and two acres, may be eligible, provided the applicant can show that the proposed Planned Unit Development can meet the intent and regulation of this subchapter without injury to the public health safety and welfare.

(C) In every instance, the PUD is to be reviewed as to the proposed location and character of the uses and the treatment of the development of the tract. The regulations of the general zoning district or districts remain applicable except as specifically modified pursuant to the provisions of this section. No modification of use or bulk and area requirements of the applicable general use district or districts shall be permitted unless a subdivision plat or replat incorporating the provisions and requirements of this section is submitted to and approved by the Planning Commission and the City Council and filed of record in the office of the County Clerk.

(Prior Code, § 157.070) (Ord. 1040, passed 4-12-1983; Ord. 1454, passed 11-9-2004)

§ 156.091 USES PERMITTED IN PUDS.

The primary uses in a Planned Unit Development shall be those permitted in the zoning districts involved or those uses permitted in more restrictive zoning districts (for example, in a commercial district, a Planned Unit Development could be dominated by shopping facilities or apartments, but in a multi-family residential district, the predominate land use would have to be housing). In predominantly residential PUDs, certain other principal uses, other than dwellings, which are permitted by right or exception in the residential districts may be included within a PUD, if such uses do not occupy more than 10% of the gross area of the PUD and are designed and located to be compatible with the residential uses of the PUD and with the residential use of adjacent properties. It is intended that the PUD provisions may be used as an alternative approach in the processing of all types of developments.

(Prior Code, § 157.071) (Ord. 1040, passed 4-12-1983)

§ 156.092 PUD ACCESSORY USES.

(A) Accessory uses customarily incident to the principal uses included within the PUD are permitted. Accessory signs shall comply with the provisions of the zoning districts, except as hereafter provided for accessory commercial uses.

(B) Within a PUD in a residential district, accessory commercial facilities may be included in accordance with the following provisions.

(1) In considering commercial uses as a part of a Planned Unit Development in a residential district, the Planning Commission shall consider:

(a) The relationship of the proposed commercial use to:

1. The land parcel (both as to boundary shape and topographic and other physical features);
2. The land and land uses outside the proposed development; and
3. The arrangement of the other portions of the proposed development.

(b) The nature of the commercial use included in the proposal.

(2) In developments proposing more than one business, the aggregate floor area of the commercial facilities shall not exceed 50 square feet per dwelling unit nor a total of 30,000 square feet.

(3) Each commercial establishment shall be limited to a maximum of 3,500 square feet of floor area.

(4) Commercial signs shall be limited to one nameplate or not more than 16 square feet for each establishment. Nameplates shall be attached flat against a building wall and shall not be animated, flashing, or have other than indirect illumination. Window signs shall not be permitted.

(5) The commercial area shall be designed primarily for the service, convenience, and benefit of the residents of the PUD. The Planning Commission may permit a commercial establishment designed to serve patrons both inside and outside

the development if it is determined that a land use problem is not likely upon consideration of the items listed in division (B) (1)(a) above.

(Prior Code, § 157.072) (Ord. 1040, passed 4-12-1983)

§ 156.093 PUD AREA REQUIREMENTS.

The space required in a Planned Unit Development project, including lot area, area per unit, and percent of lot coverage, exclusive of the area of public or private streets, shall meet the requirements of the districts wherein the project is located (as set out in § 156.022 of this chapter); provided, however, that upon a finding that the PUD proposal is so designed as to provide the best use of the land with, at the same time, a good and full protection of the public welfare and the general intent and spirit of the Comprehensive Plan and the zoning ordinance, the Planning Commission may award an increase in the density of development not to exceed 10% of that otherwise allowable in the districts in which the PUD is located. If the project area falls in two or more zoning districts, the space requirements of the project shall be established by calculating the requirements of the various districts as applied to the amount of area in each district. In a Planned Unit Development, all area used for development purposes, including recreating areas, open space areas, parking lots, and similar space may be counted as part of the aggregate development area for computation of space requirements. The area of Planned Unit Development shall be considered as one parcel regardless of the extent to which the area may be divided by interior streets or other features.

(Prior Code, § 157.073) (Ord. 1040, passed 4-12-1983)

§ 156.094 PUD HEIGHT REQUIREMENTS.

The height of buildings shall not be more than one and one-half times the distance between the building line and the edge of pavement of the nearest street. The building measurement shall be from the ground floor level to the eave or top of the vertical wall should there be no eave. The Planning Commission upon review of plans for a Planned Unit Development may approve buildings of greater height than otherwise permitted in the zoning district.

(Prior Code, § 157.074) (Ord. 1040, passed 4-12-1983)

§ 156.095 PUD PERIMETER REQUIREMENTS.

The building setback from the exterior boundaries of the PUD shall not be less than the minimum yards customarily required for the district or districts in which located; provided that within 200 feet of any abutting property in a residential district, structures exceeding ten feet in height measured from the ground floor to the eave or top of vertical wall if there is no eave shall conform to the setback requirements of the zoning district, plus two feet of setback for each one-foot of building height exceeding ten feet measured from the ground floor level to the eave or top of vertical wall if there is no eave. An unenclosed off-street parking area, containing five or more spaces, shall be screened from adjoining areas in a residential district by the erection of a screening wall, fence, or hedge of acceptable design along the lot line or lines in common with the residential district, provided that if the parking area is located more than 50 feet from the residential district, the Planning Commission may waive screening requirements.

(Prior Code, § 157.075) (Ord. 1040, passed 4-12-1983)

§ 156.096 PUD OFF-STREET PARKING AND LOADING.

Off-street parking and loading spaces shall be provided as specified for the applicable use. The Planning Commission may consider designs providing for reasonable sharing of parking spaces by land uses which have inherently compatible time demands for parking. Required spaces may be provided on the lot containing the units for which it is intended to serve or in common areas. A common parking area shall be designed and located so as to be accessible to the units it is intended to serve. Provisions for the ownership and maintenance of a common parking space as will ensure its continuity and conservation shall be incorporated in the subdivision plat.

(Prior Code, § 157.076) (Ord. 1040, passed 4-12-1983)

§ 156.097 ADMINISTRATION OF PUD.

(A) Procedural steps include:

- (1) Outline development plan;
- (2) Supplemental designation PUD; and
- (3) Subdivision plat.

(B) The following may apply for PUD.

(1) Any person, corporation, partnership, association, or combination thereof owning or possessing a property right or interest in or to a tract of not less than five acres in size may make application for the approval of an outline development plan as provided in divisions (B)(2) and (B)(3) below.

(2) Any person, corporation, partnership, association, or combination thereof owning or possessing a property right or interest in or to a tract of not less than one acre in size may make application for the supplemental district designation PUD. Such application shall be accompanied by an outline development plan processed in the manner set forth in this division (B)

(2) and divisions (C)(3) and (C)(4) below.

(3) In areas of existing development, any person, corporation, partnership, association, or combination thereof may propose the redevelopment or reuse of land through the processing of a PUD application. Due to the previous division of land areas in already developed areas, the Planning Commission shall determine if a proposed site is suitable for development as a PUD. The Planning Commission and City Council may place the supplemental designation PUD upon locations through the established zoning amendment process.

(C) An application for a Planned Unit Development shall be filed with the Planning Commission. The application shall be accompanied by the payment of a fee equal to that for rezoning applications which shall include advertising and sign costs. The application shall be in such form and content as the Planning Commission may by resolution establish, provided that three copies of an outline development plan shall accompany the filing of the application. The outline development plan shall consist of maps or text which contain:

- (1) Existing topographic character of the land and any topographic changes which are proposed;
- (2) Proposed land uses, including public uses and open space and the approximate location of buildings and other structures;
- (3) The character and approximate density of development. Density shall be expressed in numbers of dwelling units and quantitative areas of each identifiable segment of the development;
- (4) The approximate location of thoroughfares;
- (5) Sufficient surrounding area to demonstrate the relationship of the development to adjoining uses, both existing and proposed;
- (6) An explanation of the character of the planned development; and
- (7) The expected schedule of development.

(D) (1) The Planning Commission, upon the filing of an application for the supplemental district designation PUD or the filing of an application for the approval of an outline development plan, shall set the matter for public hearing and give 15 days' notice thereof by publication in a newspaper of general circulation. Where deemed necessary by the Planning Commission, additional notice shall be given by the posting of a sign or signs on the property. Within 60 days after the filing of an application, the Planning Commission shall conduct the public hearing and shall determine:

- (a) Whether the proposal is consistent with the Comprehensive Plan;
- (b) Whether the proposal harmonizes with the existing and expected development of surrounding areas;
- (c) Whether the proposal is a unified treatment of the development possibilities of the project site;
- (d) Whether the proposal would benefit orderly and proper development of the city; and
- (e) Whether the sidewalks and streets provide a traffic flow compatible with the development and surrounding street pattern.

(2) Where a supplemental district designation PUD is required for the processing of a Planned Unit Development, the Planning Commission shall forward its recommendation, the application, and the outline development plan to the City Council for further hearing as provided in divisions (D)(1)(d) and (D)(1)(3) above and this division (D)(2). Where Planned Unit Development may be processed without the supplemental designation PUD (five acres or larger), the Planning Commission shall approve, approve with modification, or disapprove the outline development plan. Approval by the Planning Commission shall be authorization for the processing of a subdivision plat incorporating the provisions of the outline development plan. The Planning Commission, upon approval of the outline development plan, may direct that a notation indicating the boundaries of the PUD be made on the zoning map.

(E) Upon receipt of the application, outline development plan, and Planning Commission recommendation, the City Council shall hold a hearing, review the outline development plan, approve, disapprove, modify, or return the outline development plan to the Planning Commission for further consideration. Upon approval, the zoning map shall be amended to reflect the supplemental designation PUD, and the applicant shall be authorized to process a subdivision plat incorporating the provisions of the outline development plan.

(F) A Planned Unit Development subdivision plat shall be filed with the Planning Commission and shall be processed in accordance with the subdivision regulations shall include:

- (1) Details as to the location of uses and street arrangement;
- (2) Provisions for the ownership and maintenance of any common open space as will reasonably ensure its continuity and conservation. Open space may be dedicated to a private association or to the public, provided that a dedication to the public shall not be accepted without the approval of the City Council; and
- (3) Such covenants as will reasonably ensure the continued compliance with the approved outline development plan. In order that the public interest may be protected, the city shall be made beneficiary of the covenants pertaining to such matters as location of uses, height of structures, setbacks, screening, and access. Such covenants shall provide that the city may enforce compliance therewith.

(G) After the filing of an approved PUD subdivision plat, and notice thereof to the Building Inspector, no building permits shall be issued on lands within the PUD except in accordance with the approved plat. A building permit in a residential PUD for a freestanding or separate commercial structure shall not be issued until significant progress has been made on other aspects of the proposed development as follows:

- (1) Completion of one-third of the noncommercial features in a project of less than five acres;
- (2) Completion of one-half of the noncommercial features in a project of more than five acres; and
- (3) The Commission has received a satisfactory progress report.

(H) Minor changes in the platted PUD may be authorized by the Planning Commission upon a review of a proposed amended subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the outline development plan and the purposes and standards of the PUD provisions hereof. Changes which would represent a significant departure from the outline development plan shall require formal abandonment and the subsequent filing of a new application for a Planned Unit Development.

(I) Where a Planned Unit Development has been processed pursuant to the supplemental designation of PUD, its abandonment shall require the City Council's approval, after recommendation by the Planning Commission, of an application for amendment to the zoning map repealing the supplemental designation of PUD. Where a Planned Unit Development has been processed by reason of being more than ten acres, its abandonment shall require the approval of the Planning Commission and vacation of the plat.

(J) Any person aggrieved may appeal the final action of the Planning Commission on a proposed outline development plan or on a proposed subdivision plat to the district court by filing with the Secretary of the Planning Commission within ten days after the action appealed from a notice of appeal stating the grounds thereof. There shall be no right of appeal from any act of the Planning Commission taken in its advisory capacity to the City Council.

(Prior Code, § 157.077) (Ord. 1040, passed 4-12-1983)

§ 156.023 R-3 GENERAL RESIDENTIAL DISTRICT.

This residential district is intended to provide for a complete range of density in population from low to fairly high. It is established as a district in which the principal uses of the land are for multi-family dwellings and similar higher density residential development. The intent is to encourage the development and the continued use of land for multi-family dwellings and to prohibit commercial and industrial uses or any other use which would substantially interfere with the development or continuation of multi-family dwellings in this district. It is further intended to discourage any use which would generate traffic which serves the multi-family dwelling or similar residential uses in this district and discourage any use which, because of its characteristics or size, would create additional requirements and costs for public services which are in excess of such requirements and costs if the district were developed solely for multi-family or other similar residential uses.

(Prior Code, § 157.023) (Ord. 1040, passed 4-12-1983)



THE CITY OF DURANT

Office of Community Development

Date: 09/06/2022
To: Planning Commission
Case: PC 2022-20
From: Danielle O'Neal, Community Development Director
Re: Re-Plat and Rezone from R-2, Two – Family Residential to R-3, General Residential Request for property located near South 12th Avenue and Texas Street

Request: Consider a request from Mike Losawyer, for a Re-Plat and Rezone from R-2, Two-Family Residential to R-3, General Residential for property located near South 12th Avenue and Texas Street.

Current Zoning: R-2, Two-Family Residential

Requested Zoning: R-3, General Residential

Surrounding Properties:

Direction	Zoning	Use
North	R-2	Single Family Residential
East	R-3	Single Family Residential
South	R-3	Vacant
West	R-2	Single Family Residential

Lot Characteristics: (Current Lots)

Width	Lot 1 ~ 60 ft. Lot 2 ~ 115 ft.
Depth	~150 ft.
Total Area	~0.60 acres (~26,250 sq. ft.)

Applicant: Mike Losawyer

Background: The applicant approached staff regarding filing for a rezoning and a re-plat request with the hopes of separating two lots into four lots. The applicant intends to sell the homes that are at this location and while going through that process discovered that these structures sit on two platted lots. State law and City ordinance prohibits the sale of any property that has not been properly subdivided. Furthermore, City ordinances require only one primary structure per lot. This area is a part of the original town site that was platted many years ago and since has had houses built and lot lines altered. As a note, the County Assessor's office shows these houses being built in the 1960s. The applicant previously tried to re-plat the lots; however, the request was denied. This time the applicant is also requesting a rezoning from R-2, Two-Family Residential to R-3, General Residential to go along with the Re-plat.

Notifications have been made to the surrounding property owners and at the time of this report, there have not been any call, letters or emails received by staff.

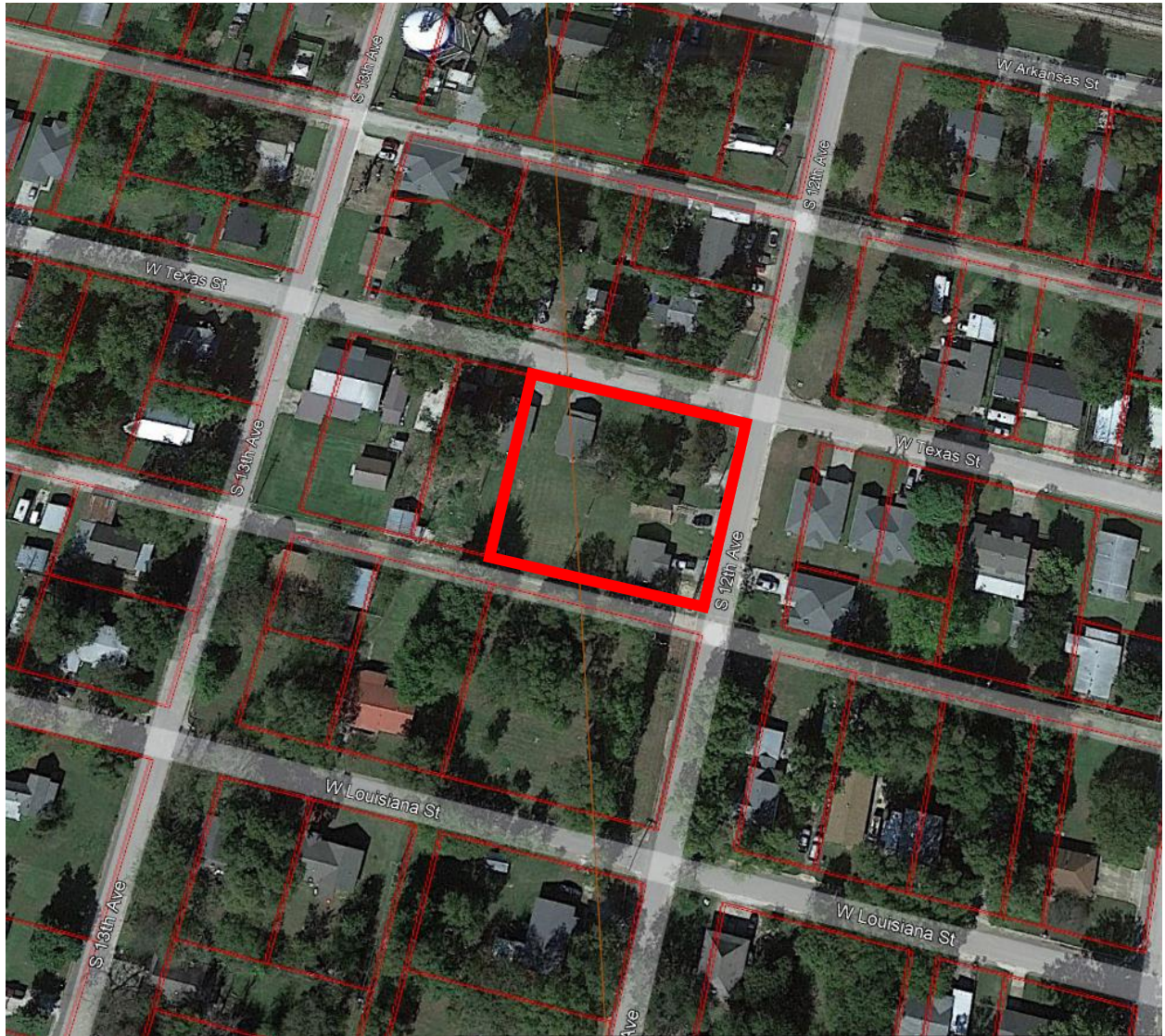
Analysis: The subject property is approximately 0.60 acres total. The two lots are shown on the plat to be divided into four lots all approximately 0.14 acres apiece. The lot sizes being requested do meet the requirements of the R-3, General Residential zoning category; however, the lots do not meet the setback requirements. Therefore, should the request be approved, the applicant will be required to gain a variance from the Board of Adjustment. The applicant does already have an application submitted. There appears to be City Water and Sewer in the area; however, easements to provide access to all lots is required and are shown on the plat. The only comments from City staff were regarding the lots needing to go through the Board of Adjustment since they do not meet current setback requirements.

The current Future Land Use Map has this area as mixed residential; therefore, this request is generally in line with the Comprehensive Plan.

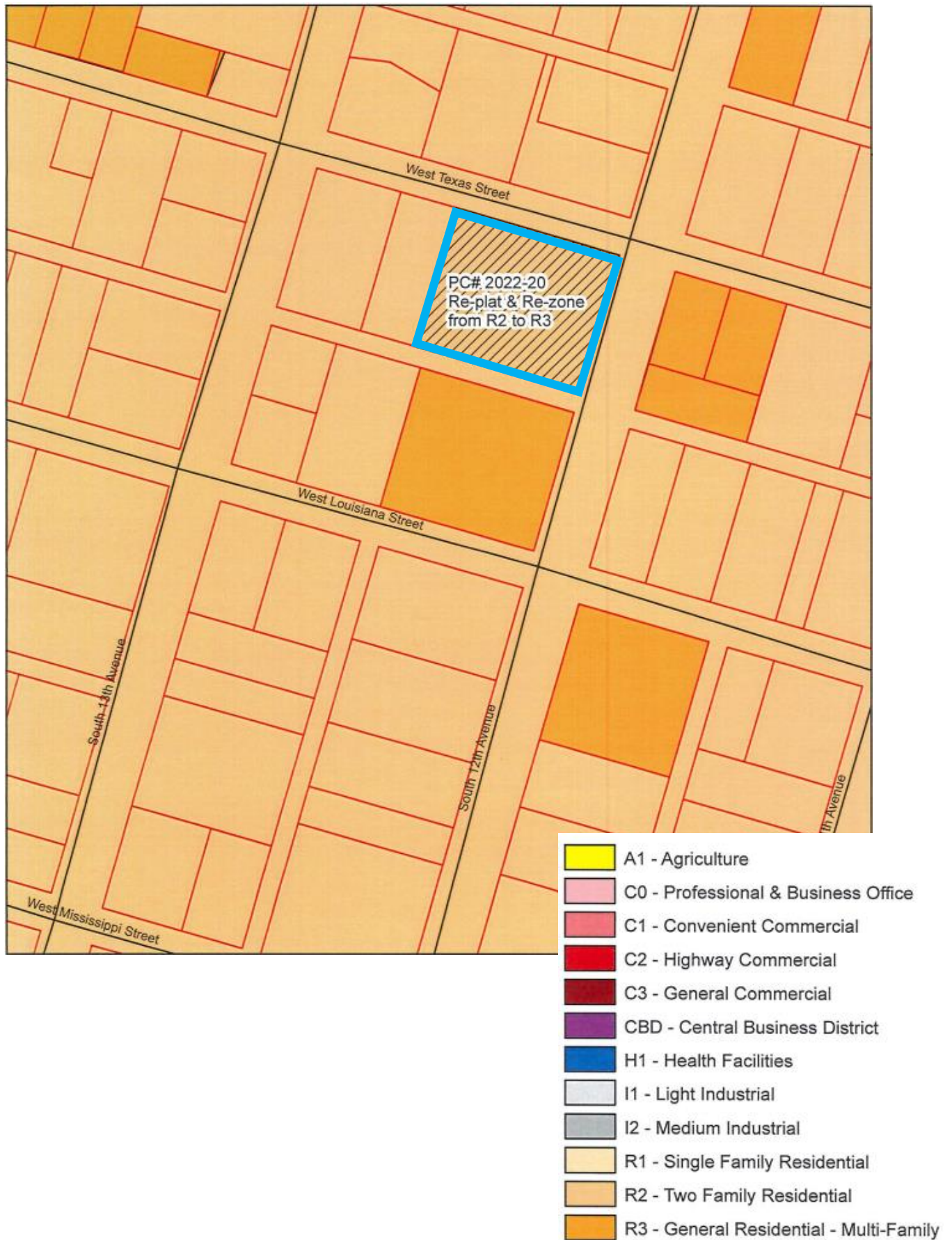
Staff Recommendation: Staff has signed off supporting the approval of the re-plat, and staff does not have any issues regarding the rezoning request. However, staff recommends if the request is recommended for approval that the approval is contingent upon the Board of Adjustment granting a variance.

Required Action: Hold a public hearing and recommend approval or denial of the Re-Plat and Rezoning from R-2, Two-Family Residential to R-3 General Residential request for property located near South 12th Avenue and Texas Street. Any specific conditions imposed by the Commission should be read into any approval motion.

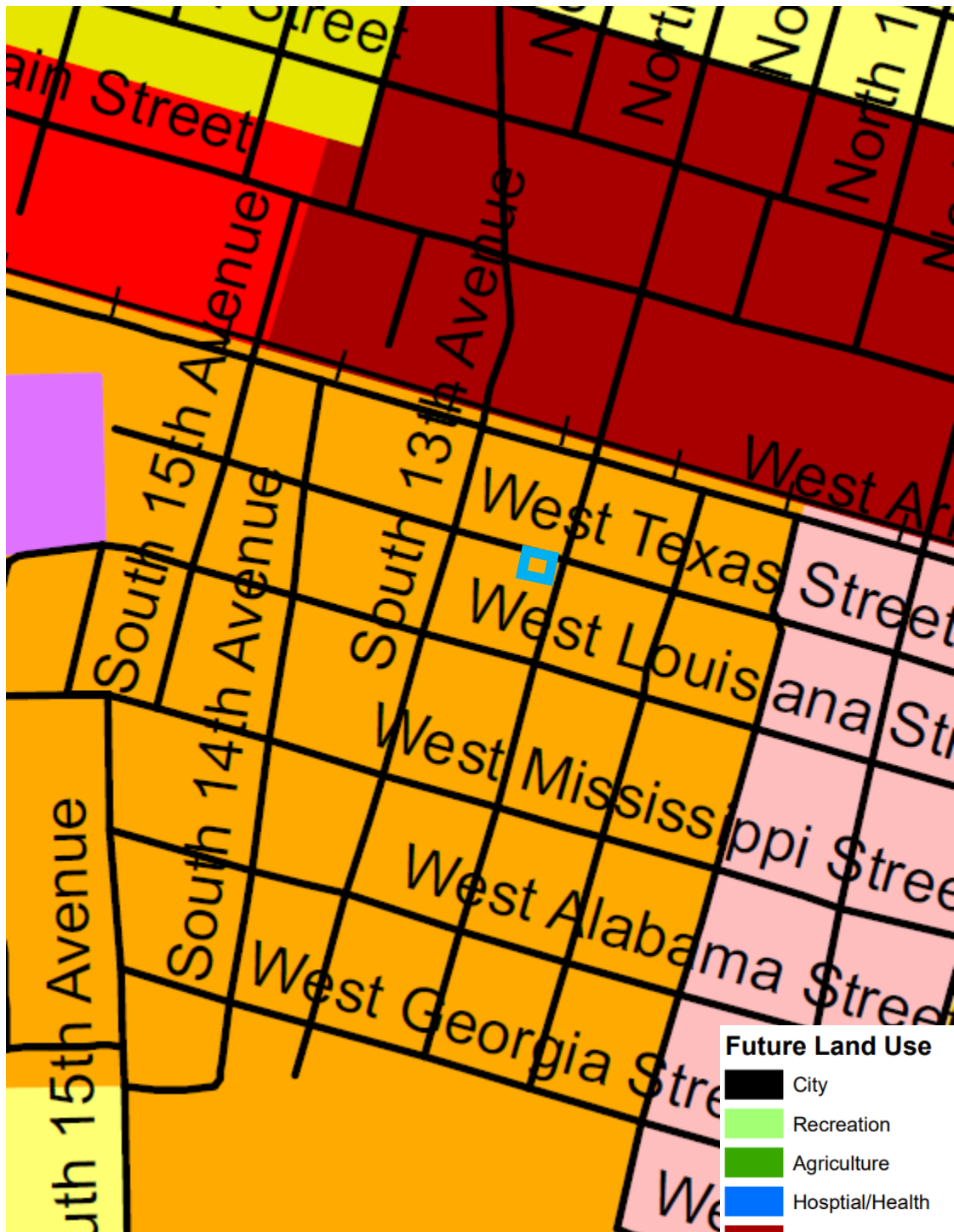
Aerial Map



Zoning Map



Future Land Use Map



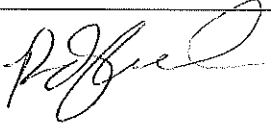
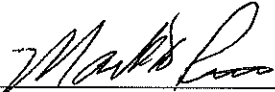
Future Land Use

- City
- Recreation
- Agriculture
- Hospital/Health
- CBD
- Industrial
- Commercial
- Mixed Use - Commercial/Industrial
- Mixed Use - Commercial/Residential
- Mixed Residential
- Residential - Low Density
- Residential - Low to Medium Density

Location is approximate

COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

S 12th/Texas Replat PC2022-20

Department	Signature	Date	Notes
Com Dev Director Danielle O'Neal		8/29/22	Setbacks don't meet requirements will need BDA
M&O Randy Cantrell		08-05-2022	No Comment
Streets Carl Meade		8-5-2022	No comment
Public Works Director Phillip Hightower		8-24-22	NO COMMENT
Fire Marshal	see att.	see att.	see att.
Building Official Mark Pierce		8-5-22	Set Backs?
Engineer Brandon Wall	Via email (see att)	8-20-22	See att

COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

S 12th/Texas Replat PC2022-20

Department	Signature	Date	Notes
Com Dev Director Danielle O'Neal	<u>See attached</u>	<u>08-05-2022</u>	<u></u>
M&O Randy Cantrell	<u>Randy Cantrell</u>	<u>08-05-2022</u>	<u>No Comment</u>
Streets Carl Meade	<u>Carl Meade</u>	<u>8-5-2022</u>	<u>No comment</u>
Public Works Director Phillip Hightower	<u>see attached</u>	<u></u>	<u></u>
Fire Marshal	<u>Jonathan Strahorn</u>	<u>8-29-2022</u>	<u>Fire Hydrant locations will be reviewed upon construction submittals.</u>
Building Official Mark Pierce	<u>Mark Pierce</u>	<u>8-5-22</u>	<u>Set Backs?</u>
Engineer Brandon Wall	<u>see attached</u>	<u></u>	<u></u>



Danielle O'Neal <doneal@durant.org>

12th & Texas - Replat - Sign Off Sheet

brandon@wallengineering.com <brandon@wallengineering.com>
To: Danielle O'Neal <doneal@durant.org>

Sat, Aug 20, 2022 at 8:04 AM

We have no comments.

Thanks,

Brandon Wall, P.E., President

Wall Engineering, LLC

PO Box 1457, Durant, OK 74702 (mailing)

223 N Washington, Durant, OK 74701 (physical)

(c) 580.931.7998

[Quoted text hidden]

§ 156.023 R-3 GENERAL RESIDENTIAL DISTRICT.

This residential district is intended to provide for a complete range of density in population from low to fairly high. It is established as a district in which the principal uses of the land are for multi-family dwellings and similar higher density residential development. The intent is to encourage the development and the continued use of land for multi-family dwellings and to prohibit commercial and industrial uses or any other use which would substantially interfere with the development or continuation of multi-family dwellings in this district. It is further intended to discourage any use which would generate traffic which serves the multi-family dwelling or similar residential uses in this district and discourage any use which, because of its characteristics or size, would create additional requirements and costs for public services which are in excess of such requirements and costs if the district were developed solely for multi-family or other similar residential uses.

(Prior Code, § 157.023) (Ord. 1040, passed 4-12-1983)

ORDINANCE NO. O-2022-XX

**AN ORDINANCE AMENDING THE ZONING MAP OF THE ZONING CODE
AND DECLARING AN EMERGENCY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DURANT, OKLAHOMA

SECTION 1. That the zoning map is hereby amended as to replace the R-2, Two-Family Residential Zoning District to the R-3, General Residential Zoning District for property located near South 12th Avenue and West Texas Street, in Durant, and more particularly described as;

A part of Sections 32 and 33, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof, and being Lots 1 and 2 in Block 250 in the City of Durant, Bryan County, Oklahoma, according to the official plat and survey thereof, described by metes and bounds as follows: Beginning at a ½ inch steel rod set for the Southeast corner of said Lot 1, and on the Westerly right-of-way line of South 12th Street, and from which a ½ inch steel pipe found for the Northeast corner of Lot 8 in said Block 250 bears South 16 degrees 03 minutes 34 seconds East a distance of 20 feet; Thence North 73 degrees 51 minutes 44 seconds West with the Southerly line of said Lot 1 and with the Southerly line of said Lot 1 and with the Southerly line of said Lot 2 a distance of 175.00 feet to a ½ inch steel rod set for the Southwest corner of said Lot 2; Thence North 16 degrees 03 minutes 34 seconds East with the Westerly line of said Lot 2 a distance of 150.00 feet to a ½ inch steel rod set for the Northwest corner of said Lot 2 and on the Southerly right-of-way line of West Texas Street; Thence South 73 degrees 51 minutes 44 seconds East with the Northerly line of said Lot 2 and with the Northerly line of said Lot 1 and with the Southerly right-of-way line of said West Texas Street a distance of 175.00 feet to a ½ inch steel rod set for the Northeast corner of said Lot 1 and at the intersection of said West Texas Street and aforesaid South 12th Street; Thence South 16 degrees 03 minutes 34 seconds West with the Easterly line of said Lot 1 and with the Westerly right-of-way of said South 12th Street a distance of 150.00 feet to the Point of Beginning.

SECTION 2. For the immediate preservation of the peace, health, and safety of the City of Durant, Oklahoma and the inhabitants thereof, it is necessary that this ordinance shall become operative and go into effect immediately upon its passage, approval and publication.

PASSED AND APPROVED by the Mayor and City Council of the City of Durant this 13th day of September, 2022.

Oden Grube, Mayor
City Of Durant, Oklahoma

ATTEST:

Cynthia J. Price, City Clerk

REZONING APPLICATION

Petition # 2022-20
Fee \$ 300

APPLICANT INFORMATION

Name: <u>MICHAEL LOSAWYER</u>	Email: <u>MLOSAWYER@yahoo</u>	Phone #1: <u>916 975 8779</u>
Mailing Address: <u>614 E Bokchito</u>	City: <u>OK</u>	State: <u>74726</u>
City:	State:	Zip:
Applicant's Interest in Property:	Phone #2: <u>580 740 5041</u>	Fax #:
<u>Owner</u>		

☐ Please use attached addendum if there is more than one applicant.

Physical Address of Rezoning Request: <u>SEE ATTACHED 307309 S 12TH 1203 1204 N TENTS</u>			
☐ Platted	Subdivision	Lot	Block
☐ Un-Platted	<u>Old DURANT</u>		
Legal Description: (If Un-platted)			

☐ Deed Attached (required) If applicant is not owner listed on deed, owner consent must be included.

Request Rezoning From: <u>R2</u>	Request Rezoning To: <u>R3</u>		
Present Use: <u>Residential</u>	Proposed Use: <u>R-3 HOUSES</u>		
Parcel Width:	Parcel Length:	Acre:	Street/Road Frontage:
☐ City Water (If City Water will be extended or Improvements will be made, please explain:)			
☐ City Sewer (If City Sewer will be extended or Improvements will be made, please explain:)			
☐ Private Water	☐ Private Sewer	<u>CITY WATER & SEWER IN PLACE</u>	
Is Property in the Floodplain?	Is property in the Airport Zone.		
<u>NO</u>	<u>NO</u>		

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

[Signature]
Signature of Applicant

July 20, 2022
Date

Office Use Only

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

REZONING SUPPORTING INFORMATION

1. List the changed or changing conditions in the area or in the City which makes this zone change necessary.

Adjusting Lot Sizes, Length, Width & Sq Foot To
Be Conforming Lots.
Change Zoning to R-3

2. Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

This is in accordance with Current
Comprehensive Plan.

3. List any other reasons to support this zone change.

Existing lot across the St from 512th addresses
and behind, across the alley are currently
zoned R-3. This change will add
additional single homes for any
future sales and make all lots conforming.

Subdivision/Plat Application

Petition # PC2022-20

Sketch Plat: ☐
 Preliminary Plat: ☐
 Final Plat: ☐
 Re-Plat: ☒

Fee \$ 0
 Expedited Fee \$ _____

APPLICANT INFORMATION

Name: <u>MICHAEL LOSAWYER</u>	Email: <u>mlsawyer@yahoo.com</u>	Phone #1: <u>419-758-7791</u>
Mailing Address: <u>419 E KESTREL</u>		Phone #2: <u>580-740-5041</u>
City: <u>BURKHILL</u> State: <u>OK</u> Zip: <u>74724</u>		Fax #
Applicant's Interest in Property:		

SURVEYOR INFORMATION

Name: <u>Interwood Drafting & Survey</u>	Email: <u>kim@interwoodsurveying.com</u>	Phone #1: <u>903-465-2151</u>
Mailing Address: <u>3404 INTERMEDIAN</u>		Phone #2
City: <u>Denison TX</u> State: <u>TX</u> Zip: <u>75021</u>		Fax #
Surveyor Oklahoma License Number:		

ENGINEER INFORMATION

Name:	Email:	Phone #1
Mailing Address:		Phone #2
City:	State:	Zip:
Engineer Oklahoma License Number:		Fax #

LAND INFORMATION

Legal Description: <u>SEE ATTACHED</u>	Parcel Number:
Proposed Subdivision Name:	Current Zone:
Proposed Use: <u>ZONE R3 - REPLAT</u>	Proposed Zone:
Current Property Owner's Name:	

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

Applicant: [Signature] Date: 7-27-22

Office Use Only

Date Filed	Date Payment Received	Notification Mailed	Comments
Initial	Initial	Date Initial	
Proof of Publication Received	Property Posting Verified	Comprehensive Plan Recommendations	
Date Initial	Date Initial		

Staff Recommendation ☐ Approve ☐ Deny	PC Recommendation ☐ Approve ☐ Deny	City Council Action ☐ Approve ☐ Deny	Ordinance #
--	---	---	--------------------

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

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

R3 Residential

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:

N/A

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

N/A

3. Traffic Impacts:

N/A

4. Protection of Neighborhoods:

N/A

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

Please list or describe any other reasons to support this application.

Houses have been in existence for many years (1941)

(ORDER BY NUMBER)

WARRANTY DEED

Statutory Form--Individual

Know All Men by These Presents:

That DON AND ELOISE LOSAWNER
LIVING TRUST

of BRYAN County,
State of OKLAHOMA, part 4 of the first part, in consideration of the
sum of TEN & MORE DOLLARS
in hand paid, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and
Convey unto MICHAEL W. LOSAWNER, 2384 ROCKY CLOVE DR.
of DALLAS County, State of TEXAS, party
of the second part, the following described real property and premises situate in BRYAN
County, State of OKLAHOMA, to-wit:

LOTS 1 & 2 IN BLOCK 250,
IN THE CITY OF DURANT, BRYAN COUNTY,
STATE OF OKLAHOMA

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

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

Signed and delivered this 19th day of April, 2018

Exempt Documentary Stamp Tax OS
Title 68, Article 32 Section 3201 or
3202, Paragraph 4

Don & Eloise Losawner
Eloise Losawner

STATE OF OKLAHOMA
COUNTY OF BRYAN } SS:

INDIVIDUAL ACKNOWLEDGMENT
Oklahoma Form

Before me, the undersigned, a Notary Public in and for said County and State on this 19th day of
April, 2018, personally appeared DON AND ELOISE LOSAWNER

to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me
that executed the same as free and voluntary act and deed for the uses and purposes therein set forth.

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

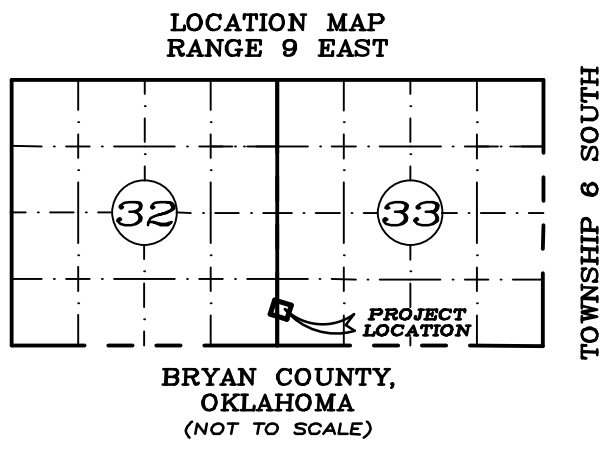
My commission expires Aug. 7th, 2021

Shyanne McIntire

SHYANNE MCINTIRE
Notary Public - State of Oklahoma
Commission Number 17487267
My Commission Expires Aug 7, 2021

FLOOD ZONE INFORMATION

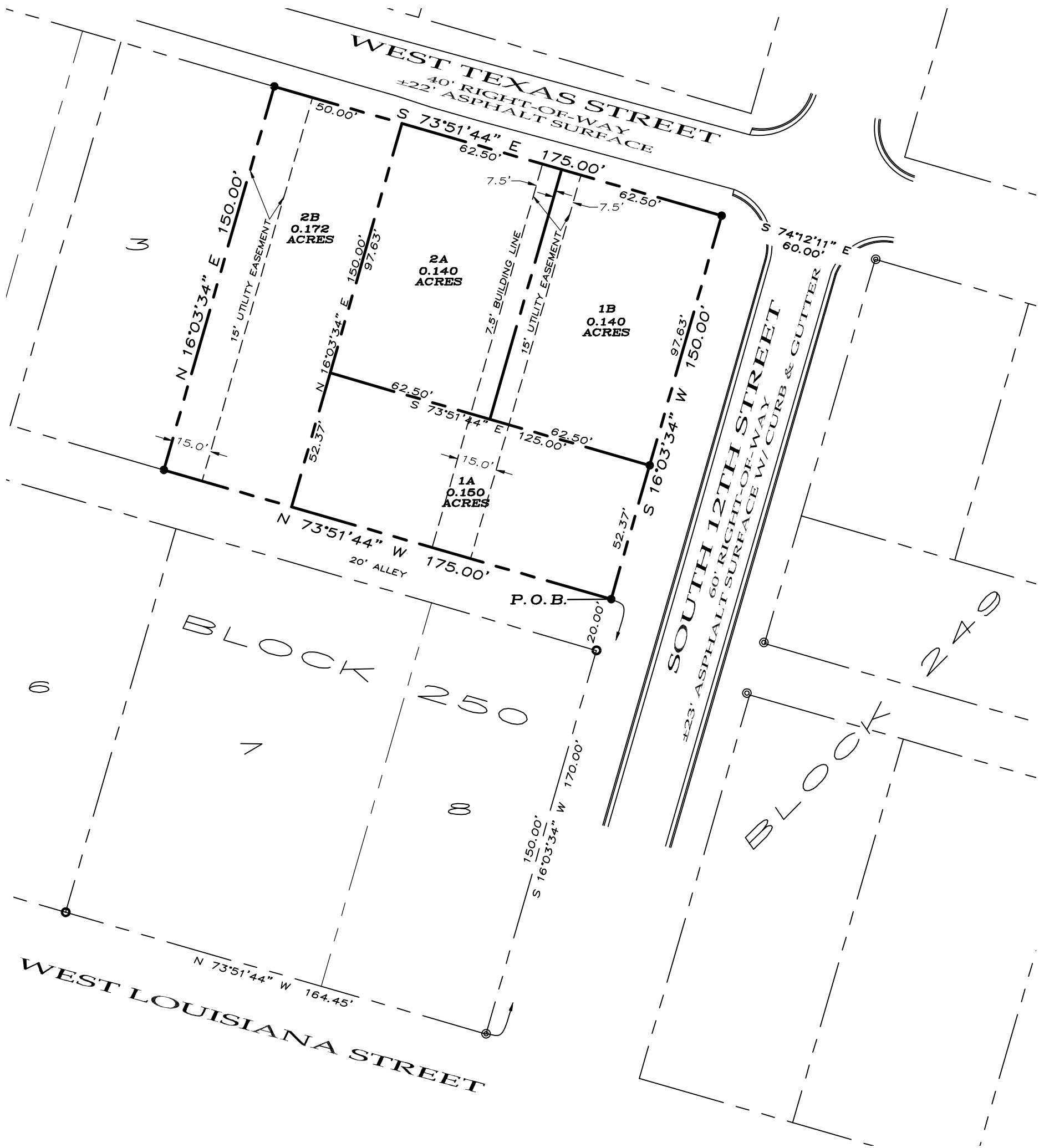
SUBJECT PROPERTY IS IN ZONE X. AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 40013C0310 E, DATED JUNE 2, 2011.



GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.



~BASIS OF BEARINGS~
OKLAHOMA STATE PLANE (NAD 83)
BEARINGS DERIVED BY DIFFERENTIAL G.P.S.
SECTION 32 AND SECTION 33,
TOWNSHIP 6 SOUTH, RANGE 9 EAST

LEGEND
● 1/2" STEEL ROD SET
○ 1/2" STEEL ROD FOUND
○ 1/2" STEEL PIPE FOUND
--- BOUNDARY LINE
--- PROPERTY LINE

Notice: Selling a portion of this addition by metes and bounds is a violation of the city ordinance and state law and is subject to fines and withholdings of utilities and any limitations of the easements.

OWNERS/DEVELOPER
DON & ELOISE LOSAWYER
LIVING TRUST
614 E. KESTREL,
BOKCHITO, OK 74726
CONTACT: MICHAEL LOSAWYER

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 1307
801 W. MAIN ST., SUITE D
DURANT, OKLAHOMA

SHEET 1 OF 1

REPLAT OF
LOTS 1 & 2, BLOCK 250,
ORIGINAL TOWN PLAT OF
THE CITY OF DURANT

BEING ALL OF A LOTS 1 AND 2, IN BLOCK 250
ADDITION HAS 4 LOTS AND CONTAINS
0.603 ACRES, MORE OR LESS

OWNER'S CERIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENT:

That We, DON AND ELOISE LOSAWYER LIVING TRUST, being the only owner of record of the following described real property to wit:

LEGAL DESCRIPTION:

Being a part of Sections 32 & 33, Township 6 South, Range 9 East of the Indian Base and Meridian according to the Government Survey thereof, and being Lots 1 and 2 in Block 250 in the City of Durant, Bryan County, State of Oklahoma, recorded in the plat thereof, and being described by metes and bound as follows:

Beginning at a 1/2" steel rod set for the southeast corner of said Lot 1, and on the westerly right-of-way line of South 12th Street, and from which a 1/2" steel pipe found for the northeast corner of Lot 8 in said Block 250 bears South 16°03'34" East, a distance of 20 feet;

Thence North 73°51'44" West, with the southerly line of said Lot 1, and with the southerly line of said Lot 2, a distance of 175.00 feet to a 1/2" steel rod set for the southwest corner of said Lot 2;

Thence North 16°03'34" East, with the westerly line of said Lot 2, a distance of 150.00 feet to a 1/2" steel rod set for the northwest corner of said Lot 2, and on the southerly right-of-way line of West Texas Street;

Thence South 73°51'44" East, with the northerly line of said Lot 2, and with the northerly line of said Lot 1, and with the southerly right-of-way line of said West Texas Street, a distance of 175.00 feet to a 1/2" steel rod set for the northeast corner of said Lot 1, and at the intersection of said West Texas Street and aforesaid South 12th Street;

Thence South 16°03'34" West, with the easterly line of said Lot 1, and with the westerly right-of-way of said South 12th Street, a distance of 150.00 feet to the Point-of-Beginning.

Containing 0.603 acres of land, more or less.

We hereby certify that we have caused this property to be surveyed into lots and this plat truly and correctly represents the subdivision made by the herein listed owners of the above described lands. We hereby offer for dedication to the public, use of all streets, avenues, parks, public facilities and easements as shown on this plat and to be hereafter known as REPLAT OF LOTS 1 AND 2, BLOCK 250 OF THE ORIGINAL TOWN PLAT OF THE CITY OF DURANT, a subdivision of a portion of Bryan County, State of Oklahoma, the transaction of this irrevocable offer of dedication shall be consummated upon the execution of the certificate for acceptance of dedication, for the purpose of providing an orderly development of REPLAT OF LOTS 1 AND 2, BLOCK 250 OF THE ORIGINAL TOWN PLAT OF THE CITY OF DURANT. Said property covered by said map or plat and dedication is subject to certain restrictions, reservations and covenants contained in a separate instrument, which will be filed for record in the Office of the County Clerk of Bryan County, Oklahoma, subsequent to the filing of this plat.

DON AND ELOISE LOSAWYER LIVING TRUST

MICHAEL LOSAWYER DATE

STATE OF OKLAHOMA
COUNTY OF BRYAN

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2022.

Notary Public in and for
the State of Oklahoma

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon, where properly placed, under my personal supervision, in accordance with the subdivision regulations of The City of Durant, Oklahoma.

Douglas W. Underwood
Licensed Professional
Land Surveyor No. 1307
C.A. No. 2315

DATE

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared DOUGLAS W. UNDERWOOD, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2022.

Notary Public in and for
the State of Texas

UNDERWOOD

801 W. MAIN ST, SUITE D DRAFTING & SURVEYING DURANT, OKLAHOMA 74701 (580)924-2251

DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL

The Oklahoma State Department of Environmental Quality, certifies that this plat is approved for the construction of a _____ sewage disposal system and a _____ water system this _____ day of _____, 2022.

ENVIRONMENTAL SPECIALIST

COUNTY TREASURES CERTIFICATE

I, _____, the duly and qualified County Treasurer of Bryan County, Oklahoma, do hereby certify that there are no unpaid taxes up to and including the year _____ on the described real property known as REPLAT OF LOTS 1 AND 2, BLOCK 250 OF THE ORIGINAL TOWN PLAT OF THE CITY OF DURANT being a part of Bryan County, State of Oklahoma, and the required security has been deposited in the office of the County Treasurer guaranteeing payment of the current years taxes,

Witness my hand this _____ day of _____, 2022.

COUNTY TREASURER

STATE OF OKLAHOMA
COUNTY OF BRYAN

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2022.

Notary Public in and for
the State of Oklahoma

COUNTY CLERKS CERTIFICATE

That I, the undersigned, do hereby certify that the REPLAT OF LOTS 1 AND 2, BLOCK 250 OF THE ORIGINAL TOWN PLAT OF THE CITY OF DURANT, a replat in Section 32 and 33, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma; Together with the Owners Certificate and the Surveyors Certificate on the same were presented to the County Clerk of Bryan County, Oklahoma, for approval; that said plat, Owners Certificate and Surveyors Certificate being found to conform to the platting requirements in all respects, are in all things approved on this _____ day of _____, 2022 at _____ and duly recorded in Book Number _____, Page Number _____.

TAMMY REYNOLDS
COUNTY CLERK

DATE

CERTIFICATE OF ACCEPTANCE

Pursuant to the Durant Subdivision Regulations, this document was given approval by the Durant City Council at a meeting held the _____ day of _____, 20____. All of the conditions of approval having been completed, this document is hereby accepted and this certificate executed under the authority of such regulations.

DATE OF EXECUTION

ATTEST: CITY CLERK

MAYOR

CERTIFICATE OF FINAL APPROVAL

I, _____, Chairman of the Bryan County, Planning Commission for the County of Bryan, State of Oklahoma, hereby certify that the said commission duly approved the REPLAT OF LOTS 1 AND 2, BLOCK 250 OF THE ORIGINAL TOWN PLAT OF THE CITY OF DURANT, this _____ day of _____, 2022.

CHAIRMAN

STATE OF OKLAHOMA
COUNTY OF BRYAN

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2022.

Notary Public in and for
the State of Oklahoma



August 15, 2022

Danielle O'Neal
Community Development Director
City of Durant
300 W. Evergreen
Durant, OK 74701

Re: Request for variance on 4 Lots for the Replat of Lots 1 and 2, Block 250 Original Town Plat of the City of Durant.

Danielle,

We are requesting a variance for the following lots and their frontage widths and setbacks. There are 4 houses already on Lots 1 and 2. This request is so that Michael Losawyer will be able to Replat with the houses at their current locations on said Lots.

The following reflects the Replat we have prepared:

Lot No.	Lot Frontage Requested	Front Setback Requested	Rear Setback Requested	Side Setback Requested
1A	52.37'	14.3'	-	8.8'
1B	97.63'x 62.5'	16.1'	15.4'	8.8'
2A	62.50	24.2'	-	9.8'
2B	50.00	23.7'	-	14.5

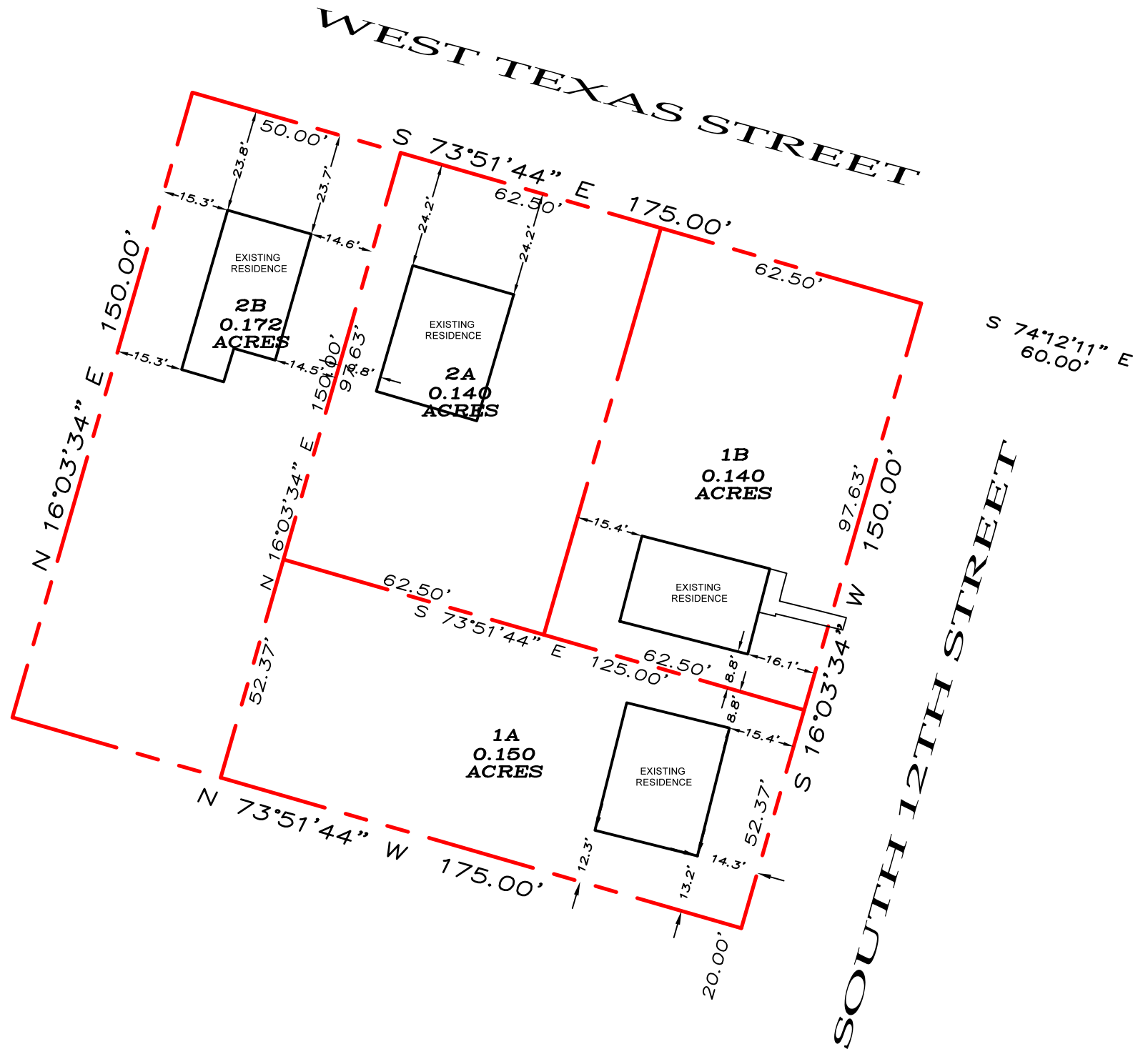
Please see the attached exhibit which graphically show the above.

Thank you for your attention in this matter. Please call me if you have any questions. Thank you.

Regards,

A handwritten signature in blue ink, appearing to read "DW Underwood", is written over a light blue grid background.

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709





THE CITY OF DURANT

Office of Community Development

Date: 09/06/2022
To: Planning Commission
Case: PC 2022-21
From: Danielle O'Neal, Community Development Director
Re: Rezoning Request from A-1, General Agriculture to R-1, Single-Family Residential for property located along Cemetery Road

Request: Consider a request from Holdenmoore, LLC, for a rezoning of the property located along Cemetery Road from A-1, General Agriculture to R-1, Single-Family Residential

Current Zoning: A-1, General Agriculture

Requested Zoning: R-1, Single-Family Residential

Surrounding Properties:

Direction	Zoning	Use
North	R-3	Vacant
West	A-1	Vacant / Residential
South	A-1	Cemetery
East	A-1	Vacant (City)

Lot Characteristics:

Width	~ 1,000 ft.
Depth	~1,950 ft.
Total Area	~47 acres (~1,950,000 sq. ft.)

Applicant: Holdenmoore, LLC

Background: The applicant approached staff regarding the rezoning of this property with the desire of building a subdivision with common areas and single-family homes in the future. It should be noted that a large portion of the Northern part of the lot is within the floodplain.

Notifications have been made to the surrounding property owners and at the time of this report staff has not received any phone calls, emails or letters regarding this rezoning request.

Analysis: The aforementioned property is approximately 47 acres and currently is a vacant lot. The area is made up of mostly Agriculture Zoned property with Residential Zoned property to the North. The subject property does meet the requirements for the requested zoning type. There does appear to be City water and sewer in the area. The property will need to go through the proper platting process prior to any piece of the acreage being sold.

The current Future Land Use Map has this area as low-density residential uses; therefore, this rezoning request is generally in line with the Future Land Use Map.

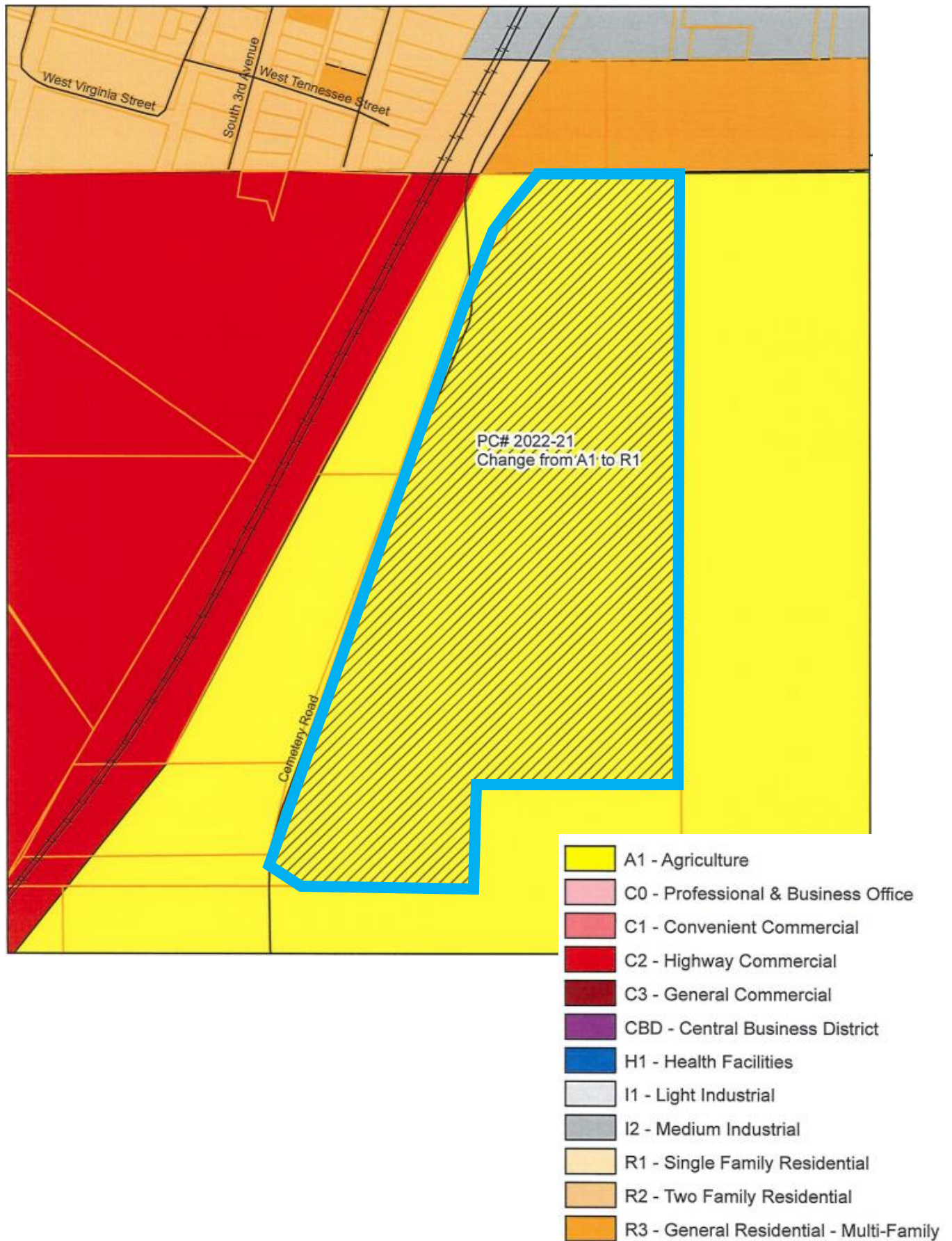
Staff Recommendation: Staff does not have an issue with the rezoning request.

Required Action: Hold a public hearing to recommend approval or denial of the rezoning request for the property located along Cemetery Road. Any specific conditions imposed by the Commission should be read into any approval motion.

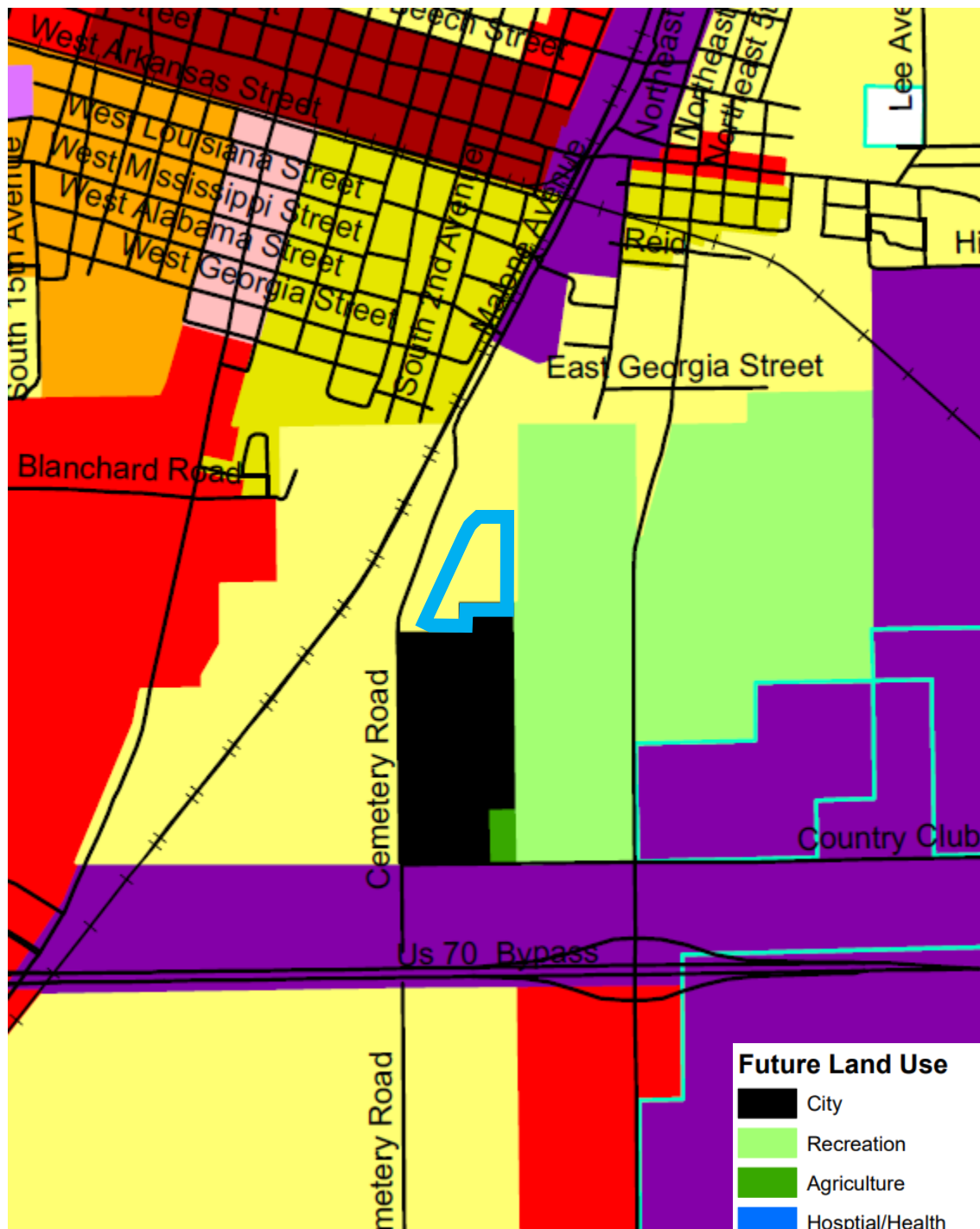
Aerial Map



Zoning Map



Future Land Use Map

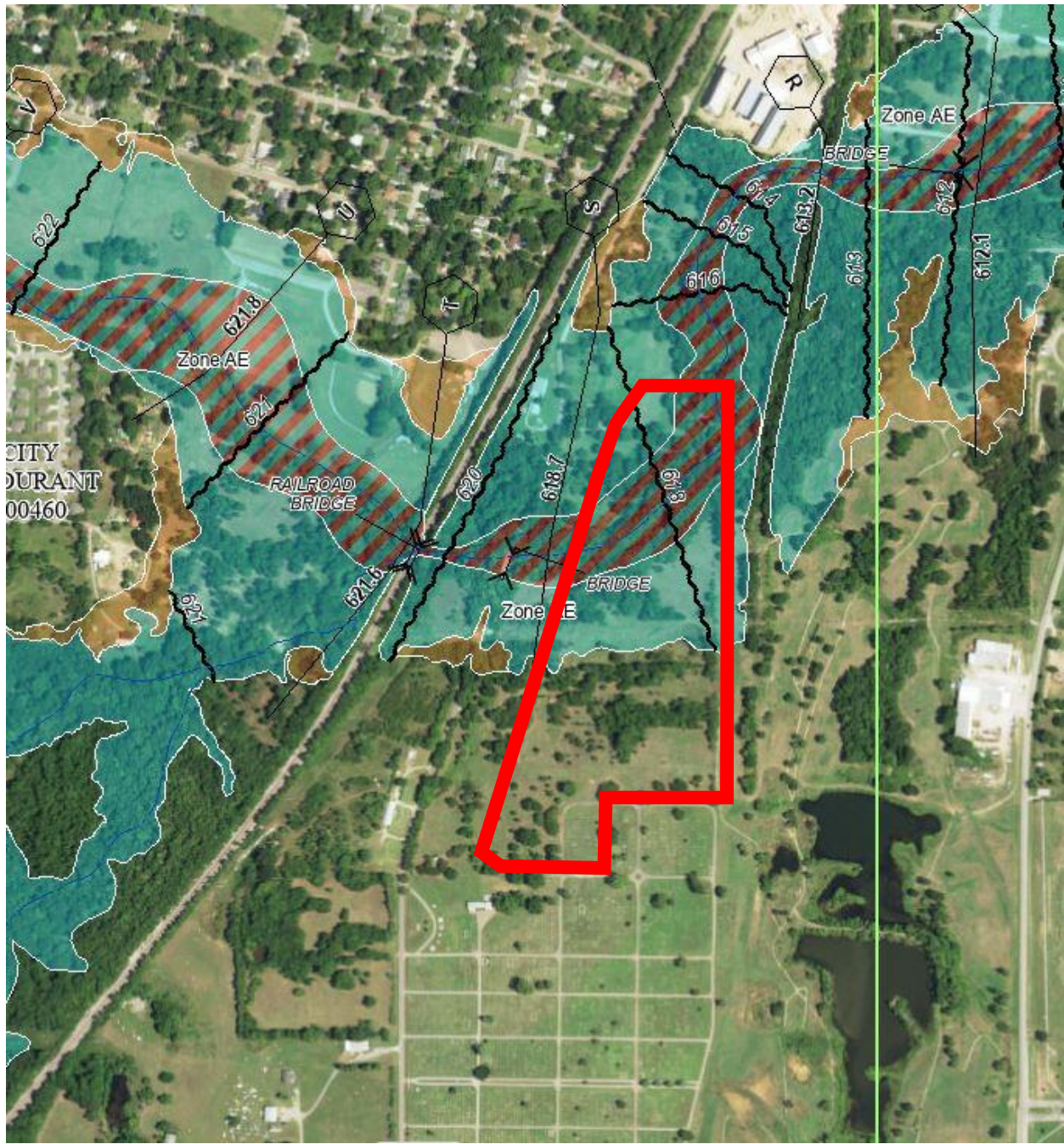


Location is approximate

Future Land Use

- City
- Recreation
- Agriculture
- Hospital/Health
- CBD
- Industrial
- Commercial
- Mixed Use - Commercial/Industrial
- Mixed Use - Commercial/Residential
- Mixed Residential
- Residential - Low Density
- Residential - Low to Medium Density

FEMA Floodplain Map



Location is approximate

§ 156.021 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT.

The R-1 Single-Family District is established as a district in which the use of the land is for single-family dwellings, except as noted. It is the purpose and intent of this district to promote the development of and the continued use of the land for single-family dwellings and to prohibit commercial and industrial use or any other use which would substantially interfere with the development or continuation of single-family dwellings in this district. The intent is to further discourage any use in this district which would generate traffic or create congestion on neighborhood streets other than the normal traffic which serves the residents in the area. This district further encourages only those uses which because of character or size would not create additional requirements and costs for public services which are in excess of such requirements and costs if the district was not developed solely for single-family dwellings.

(Prior Code, § 157.021) (Ord. 1040, passed 4-12-1983)

ORDINANCE NO. **O-2022-XX**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE ZONING CODE
AND DECLARING AN EMERGENCY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DURANT, OKLAHOMA

SECTION 1. That the zoning map is hereby amended as to replace the A-1, General Agriculture Zoning District to the R-1, Single-Family Residential Zoning District for property located along Cemetery Road, in Durant, and more particularly described as;

All that part of the SW/4 NE/4 lying East of the Centerline of Cemetery Road, LESS AND EXCEPT the S/2 SE/4 SW/4 NE/4 and Government Lot 2 lying East of Cemetery Road, LESS AND EXCEPT that part reserved for the townsite of Durant in Section 5, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof.

SECTION 2. For the immediate preservation of the peace, health, and safety of the City of Durant, Oklahoma and the inhabitants thereof, it is necessary that this ordinance shall become operative and go into effect immediately upon its passage, approval and publication.

PASSED AND APPROVED by the Mayor and City Council of the City of Durant this 13th day of September, 2022.

Oden Grube, Mayor
City Of Durant, Oklahoma

ATTEST:

Cynthia J. Price, City Clerk

REZONING APPLICATION

Petition # _____
Fee \$ _____

APPLICANT INFORMATION

Name: <u>Jacob Moore</u>	Email: <u>Jmoore7700@yahoo</u>	Phone #1: <u>580-775-7377</u>
Mailing Address: <u>5505 SR 70E</u>		Phone #2: _____
City: <u>Durant</u>	State: <u>OK</u>	Zip: <u>74701</u>
Applicant's Interest in Property: <u>Owner</u>		

☐ Please use attached addendum if there is more than one applicant.

Physical Address of Rezoning Request: <u>See Attached</u>			
☐ Platted ☐ Un-Platted	Subdivision: _____	Lot: _____	Block: _____
Legal Description: (If Un-platted) _____			
☐ Deed Attached (required) If applicant is not owner listed on deed, owner consent must be included.			

Request Rezoning From: <u>Agricultural</u>	Request Rezoning To: <u>Residential R1/R2</u>		
Present Use: <u>Pasture</u>	Proposed Use: <u>New Construction home</u>		
Parcel Width: _____	Parcel Length: _____	Acres: <u>25</u>	Street/Road Frontage: _____
☒ City Water (If City Water will be extended or improvements will be made, please explain:) ☒ City Sewer (If City Sewer will be extended or improvements will be made, please explain:) ☐ Private Water ☐ Private Sewer			
Is Property In the Floodplain? <u>N/A</u>	Is property in the Airport Zone.		

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

[Signature]
Signature of Applicant

5.4.22
Date

Office Use Only

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

REZONING SUPPORTING INFORMATION

1. List the changed or changing conditions in the area or in the City which makes this zone change necessary.

THIS PARCEL IS ZONED AG AND WE WANT TO BUILD A SUB-DIVISION W/ A COMMON AREA, NEEDS, SEWER (CITY) CITY WATER, ETC. AND INCLUDED IN THE CITY.

2. Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

IT IS IN ACCORDANCE WITH THE CITY'S COMP PLAN. CONSTRUCTION OF THE SEWER LINE WILL BEING AN OPPORTUNITY FOR FURTHER RESIDENTIAL DEVELOPMENT.

3. List any other reasons to support this zone change.

THE REZONING + CONSTRUCTION WILL BRING 76 LOTS + NEW HOME BUILDINGS TO THE CITY OF DURAND. DUPLEXES OR APARTMENTS TO MEET HOUSING NEEDS OF RESIDENCE + FUTURE RESIDENCY.

MODERN
abstract and title

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

I-2019-714758 Book 1500 Pg: 479
07/01/2019 10:01 am Pg 0479-0480
Fee: \$ 15.00 Doc: \$ 225.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

That Johnny Jones and Alice Jones, husband and wife, and Michael J. Jones and Donna Jones, husband and wife, party/parties of the first part, in consideration of the sum of Ten and more (\$10.00) Dollars, the receipt of which is hereby acknowledged, do(es) by these presents grant, bargain, sell and convey unto HOLDENMOORE LLC, 5505 State Road 70 E, Durant, OK 74701, party/parties of the second part, his/her/their grantees and heirs, all of the following described real property and premises, situated in Bryan County, State of Oklahoma, to wit:

All that part of the SW/4 NE/4 lying East of the Durant Highland Cemetery Road, less five acres for Cemetery; and all that part of the S/2 of Lot 2 lying East of said Highland Cemetery road, less that part reserved for townsite of Durant; all in Section 5, Township 7 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, according to the Government Survey thereof.

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

TO HAVE AND TO HOLD said described premises unto said party/parties of the second part, his/her/their grantees and the heirs and grantees of the survivors, forever, free, clear and discharged of and from all former grants, titles, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature. Exceptions: Easements and rights of ways of record; oil, gas, and other mineral leases of record; prior oil, gas, and other mineral conveyances or reservations of record; restrictive and protective covenants of record; and applicable zoning ordinances.

Revenue Stamps=\$225.00

SIGNED AND SEALED this the 9th day of June, 2019

Johnny Jones
Johnny Jones

Alice Jones
Alice Jones

Michael J. Jones
Michael J. Jones

Donna Jones
Donna Jones

STATE OF OKLAHOMA
Bryan County
Documentary Stamps \$ 225.00

319 W Main St | Durant OK 74701 | 580-745-5363
www.ModAbstractTitle.com

FIDELITY NATIONAL TITLE INSURANCE

MODERN
abstract and title
ACKNOWLEDGMENT

STATE OF KY)
COUNTY OF FRANKLIN) ss.

Before me, the undersigned, a Notary Public in and for said County and State, on this 25 day of JUNE, 2019, personally appeared Johnny Jones and Alice Jones, husband and wife, and Michael J. Jones and Donna Jones, husband and wife, to me known to be the identical person(s) who executed the within and foregoing instrument, and acknowledged to me that he/she/they executed the same as his/her/their free and voluntary act and deed for the uses and purposes therein set forth.

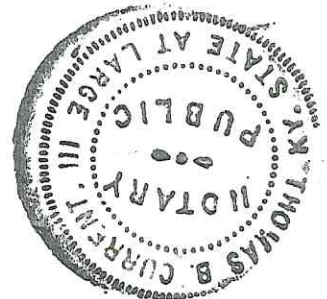
WITNESS MY HAND AND seal the day and year last above written.

Commission Expires: 5/23/21

190406582

[Signature]
NOTARY PUBLIC

579940



I-2019-714758 Book 1500 Pg: 480
07/01/2019 10:01 am Pg 0479-0480
Fee: \$ 15.00 Doc: \$ 225.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

319 W Main St | Durant OK 74701 | 580-745-5363
www.ModAbstractTitle.com

FIDELITY NATIONAL TITLE INSURANCE

Rezoning application

3 messages

Danielle O'Neal <doneal@durant.org>
To: J Moore <jmoore7700@yahoo.com>

Fri, Aug 5, 2022 at 2:23 PM

Good Afternoon,

We are reviewing the application and saw that you have R1/R2 written on the application form; however, we are needing to know which zoning category that you are applying for.

R-1 is Single Family Residential and R-2 is Two-Family Residential. The primary difference between the two zoning classifications is that in R-2 you can construct either duplex or single family homes in that zoning category where in R-1 you can only construct single family homes.

If you could please let us know which one you prefer, and if you are okay with us writing that on the application, it would be greatly appreciated.

Thank you,
Danielle

--

Danielle O'Neal
Community Development Director

City of Durant
300 W. Evergreen
Durant, OK 74701
Phone: (580) 931-6613

J Moore <jmoore7700@yahoo.com>
To: Danielle O'Neal <doneal@durant.org>

Sun, Aug 7, 2022 at 12:45 AM

R-1 is what i'm needing done.

Sent from my iPhone

On Aug 5, 2022, at 2:24 PM, Danielle O'Neal <doneal@durant.org> wrote:

[Quoted text hidden]

Danielle O'Neal <doneal@durant.org>
To: J Moore <jmoore7700@yahoo.com>

Mon, Aug 8, 2022 at 8:46 AM

OK, thank you for clarifying.

Danielle
[Quoted text hidden]



THE CITY OF DURANT

Office of Community Development

Date: 09/06/2022
To: Planning Commission
Case: PC 2022-22
From: Danielle O'Neal, Community Development Director
Re: Rezoning Request from R-1, Single-Family Residential, C-2, Highway Commercial and Commercial Recreation and I-1, Light Industrial Districts to I-1, Light Industrial District for property located at 1903 North First Avenue

Request: Consider a request from Floyd Davis and Jeremy Davis, for a rezoning of the property located at 1903 North First from R-1, Single-Family Residential, C-2, Highway Commercial and Commercial Recreation and I-1, Light Industrial Districts to I-1, Light Industrial District

Current Zoning: R-1, Single-Family Residential, C-2, Highway Commercial and Commercial Recreation and I-1, Light Industrial

Requested Zoning: I-1, Light Industrial

Surrounding Properties:

Direction	Zoning	Use
North	C-2 / I-1	Residential
West	A-1 / I-1	Vacant
South	R-3 / C-2	College (SOSU)
East	C-2	Residential / College (SOSU)

Lot Characteristics:

Width	~ 350 ft.
Depth	~410 ft.
Total Area	~2.5 acres (~143,500 sq. ft.)

Applicant: Holdenmoore, LLC

Background: The applicants approached staff regarding the rezoning of this property with the desire of fixing the multiple zoning categories on one property. The multiple zoning categories was discovered when a perspective buyer contacted staff doing due diligence on the property.

Notifications have been made to the surrounding property owners and at the time of this report staff has not received any phone calls, emails or letters regarding this rezoning request.

Analysis: The aforementioned property is approximately 2.5 acres and currently has a self-storage facility on the lot. The area is made up of a mix of Commercial, Industrial, Agriculture and Residential Zoned property. The subject property does meet the requirements for the requested zoning type. As shown below a self-storage facility is allowed by right within the light and medium industrial (I-1 & I-2) zoning categories and allowed with a Conditional Use Permit in the C-2, Highway Commercial and Commercial Recreation, and C-3, General Commercial Districts.

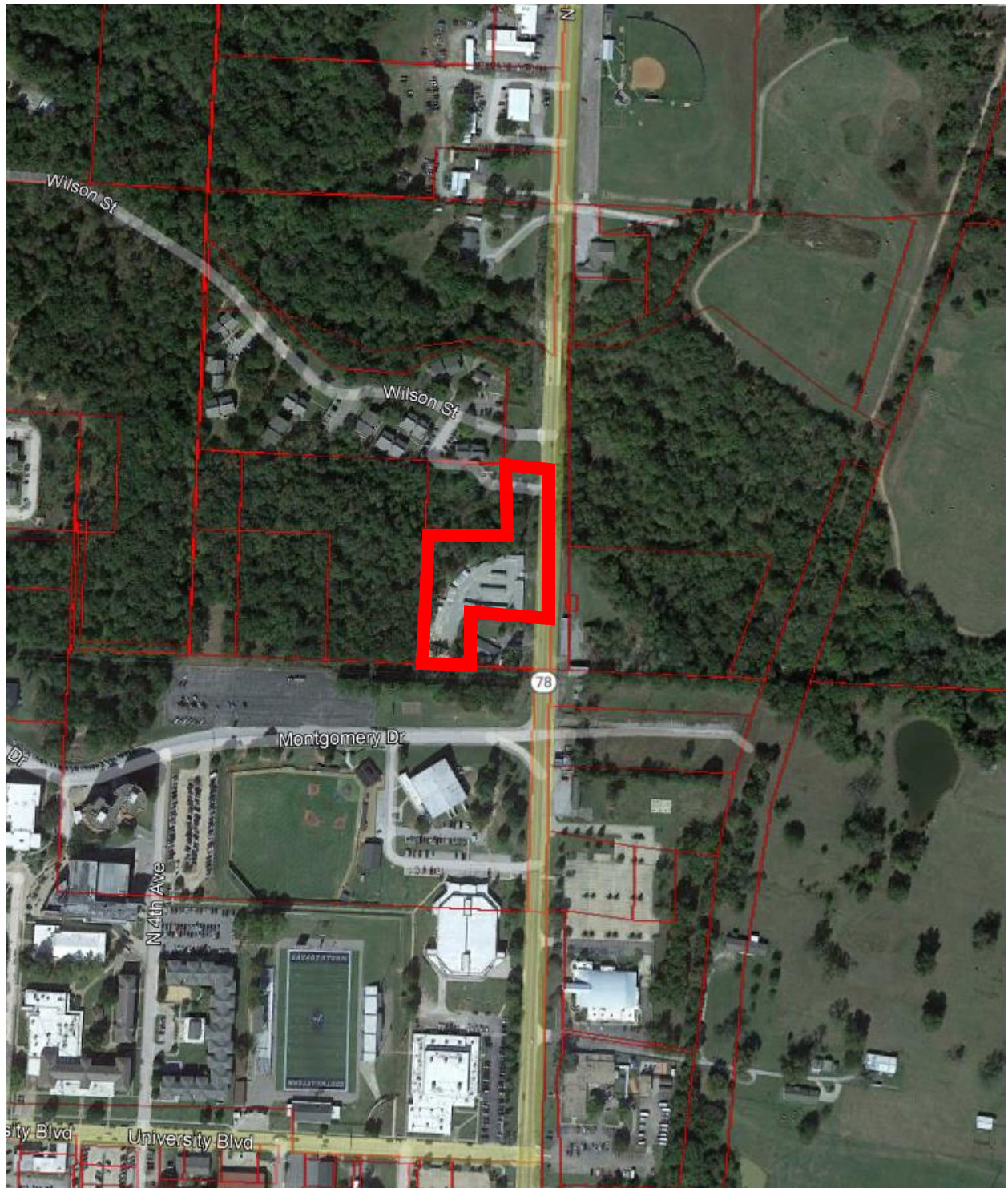
The current Future Land Use Map has this area as commercial and residential mixed-use; therefore, this rezoning request is not generally in line with the Future Land Use Map.

Permitted Uses	Special Provisions		Residential Districts					Commercial Districts					Industrial Districts		Other
	Special Conditions See §	Parking Spaces Required	A1	R1	R2	R3	R4	C0	C1	C2	C3	CBD	I1	I2	H1
Self-service storage facility	None	1/vehicle stored + 1/ employee + 1/10 units								R	R		X	X	

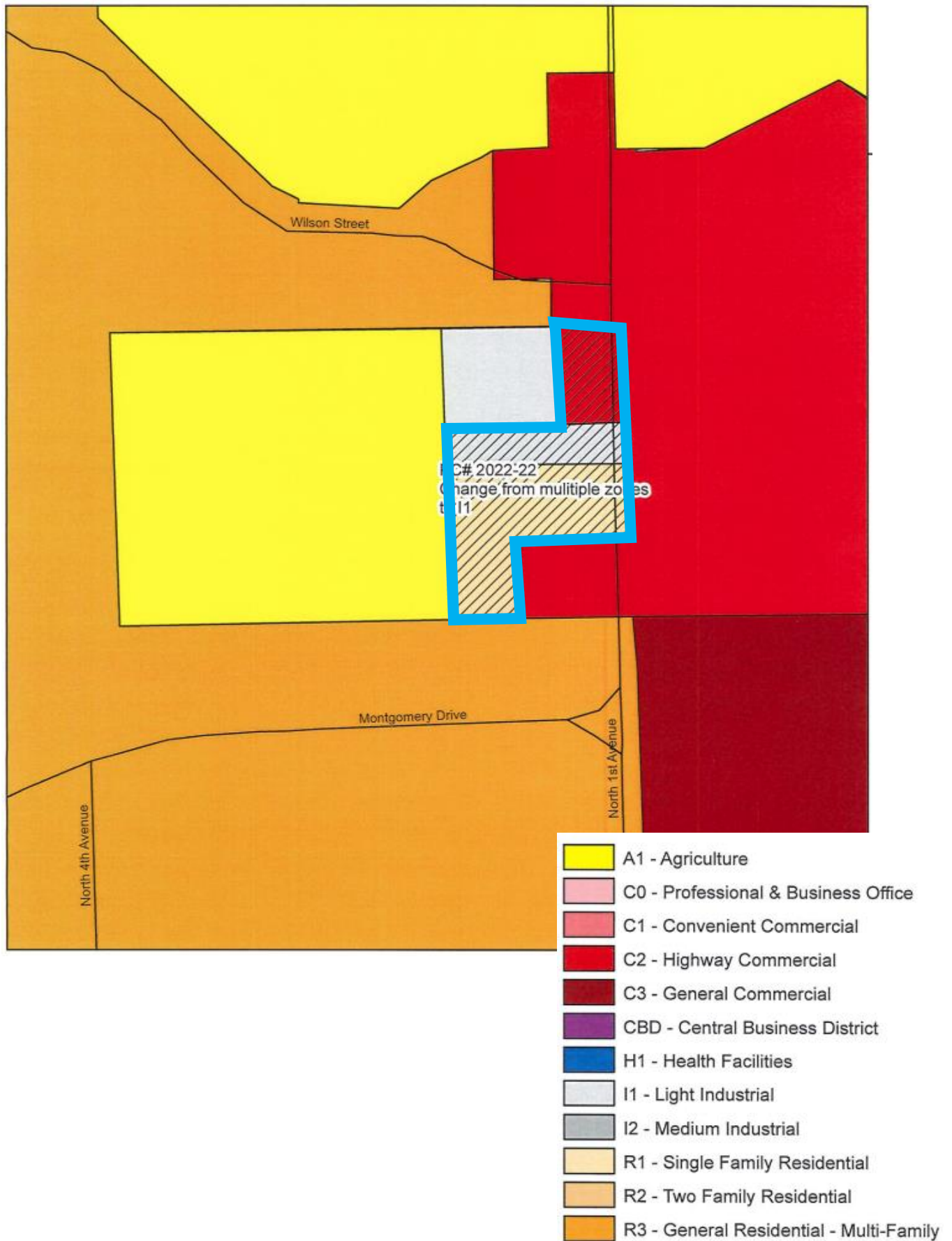
Staff Recommendation: While staff supports fixing the multiple zoning categories on one lot, there is concern with the request not being in line with the Future Land Use Map.

Required Action: Hold a public hearing to recommend approval or denial of the rezoning request for the property located at 1903 North First. Any specific conditions imposed by the Commission should be read into any approval motion.

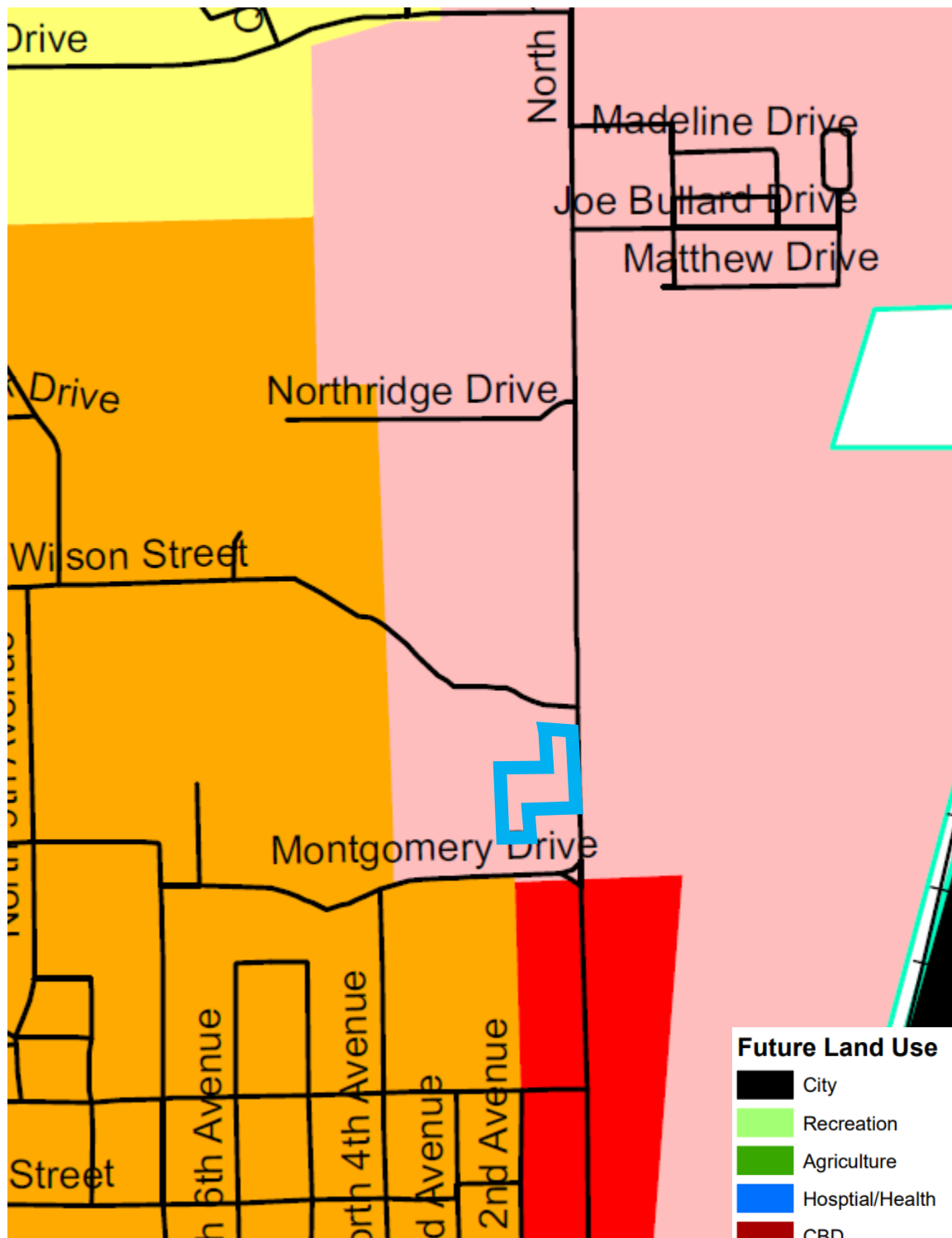
Aerial Map



Zoning Map



Future Land Use Map



Location is approximate

§ 156.031 I-1 LIGHT INDUSTRIAL DISTRICT.

The purpose of the I-1 Industrial District is to provide a location for industries. The intent is to preserve this land especially for industry in locations with access to major streets, as well as locations generally accessible to railroad transportation. Because of possible objectionable influences that may be created in this district, it is necessary to locate I-1 carefully in relation to other districts and provide such features as buffers or setback strips between this district and other zoning districts.

(Prior Code, § 157.028) (Ord. 1040, passed 4-12-1983)

ORDINANCE NO. O-2022-XX

**AN ORDINANCE AMENDING THE ZONING MAP OF THE ZONING CODE
AND DECLARING AN EMERGENCY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DURANT, OKLAHOMA

SECTION 1. That the zoning map is hereby amended as to replace the R-1, Single-Family Residential, C-2 Highway Commercial and Commercial Recreation and the I-1 Light Industrial Zoning Districts to the I-1, Light Industrial Zoning District for property located at 1903 North First Avenue, in Durant, and more particularly described as;

Tract 1: A part of the NE/4 NE/4 of Section 29, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, described as Beginning at the Southeast Corner of the NE/4 NE/4; thence West 300.00 feet; thence North 300.00 feet; thence East 300.00 feet; thence South 300.00 feet to the Point of Beginning, according to the Government Survey thereof, LESS AND EXCEPT the following tract: A tract of land described as beginning at the Southeast Corner of the NE/4 NE/4 of said Section 29; thence West 221.77 feet; thence North 150 feet; thence East 221.77 feet; thence South 150 feet to the Point of Beginning.

Tract 2: A part of the NE/4 NE/4 of Section 29, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, described as Beginning at a point 300.00 feet West of the Southeast Corner of said NE/4 NE/4; thence North 300.00 feet; thence East 300.00 feet; thence North 267.00 feet; thence West 350.00 feet; thence South 567.00 feet; thence East 50.00 feet to the Point of Beginning, LESS AND EXCEPT a tract described as beginning at a point 350.00 feet West and 567.00 feet North of the Southeast Corner of the NE/4 NE/4 of said Section 29; thence East 225.00 feet; thence South 191.00 feet; thence West 225.00 feet; thence North 191.00 feet to the Point of Beginning.

SECTION 2. For the immediate preservation of the peace, health, and safety of the City of Durant, Oklahoma and the inhabitants thereof, it is necessary that this ordinance shall become operative and go into effect immediately upon its passage, approval and publication.

PASSED AND APPROVED by the Mayor and City Council of the City of Durant this 13th day of September, 2022.

Oden Grube, Mayor
City Of Durant, Oklahoma

ATTEST:

Cynthia J. Price, City Clerk

REZONING APPLICATION

Petition # _____

Fee \$ _____

APPLICANT INFORMATION

Name: Floyd Davis	Email: fdavis@dfs-fs.com	Phone #1 214-686-0418
Mailing Address: 195 Missouri Ave		Phone #2
City: Pottsboro	State: TX	Zip: 75076
Applicant's Interest in Property: Co-Owner		Fax #

___ Please use attached addendum if there is more than one applicant.

Physical Address of Rezoning Request: 1903 N 1st Ave, Durant, OK, 74701			
☐ Platted ☐ Un-Platted	Subdivision Bryan County Unplatted	Lot	Block
Legal Description: SEC 29-6-9 OF NENE SAID SEC BEG SE/C NENE, W 300', N 300', E 300', S 300' POB, (If Un-platted) LESS 1-1-0 (1075/79) & BEG 300'W SE/C NENE, N300' E300', N267', W350', S567', E350' POB LESS 1-41-1 (906/901)			
___ Deed Attached (required) If applicant is not owner listed on deed, owner consent must be included.			

Request Rezoning From: Multiple Zones		Request Rezoning To: I-1	
Present Use: Self Storage		Proposed Use: Self Storage	
Parcel Width: 468'	Parcel Length: 569'	Acres: 2.82	Street/Road Frontage: 418'
___ City Water (If City Water will be extended or improvements will be made, please explain:) N/A			
___ City Sewer (If City Sewer will be extended or improvements will be made, please explain:) N/A			
___ Private Water		___ Private Sewer	
Is Property in the Floodplain? NO	Is property in the Airport Zone. NO		

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

Floyd Davis
Signature of Applicant

7/19/2022
Date

Office Use Only

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

REZONING SUPPORTING INFORMATION

1. List the changed or changing conditions in the area or in the City which makes this zone change necessary.
This is simply a correction of past zoning errors. No changes are proposed.

2. Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

This property has been in operation since 1994, so trust it would be grandfathered for any changes to the Comprehensive Plan made since.

3. List any other reasons to support this zone change.
Housekeeping of city records

REZONING APPLICATION

Petition # _____

Fee \$ _____

APPLICANT INFORMATION

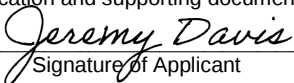
Name: Jeremy Davis	Email: jdavis@dfs-fs.com	Phone #1 214-717-0942
Mailing Address: 109 AMBROSIA LN		Phone #2
City: HEATH	State: TX	Zip: 75032
Fax #		
Applicant's Interest in Property: Co-Owner		

___ Please use attached addendum if there is more than one applicant.

Physical Address of Rezoning Request: 1903 N 1st Ave, Durant, OK, 74701			
___ Platted ___ Un-Platted	Subdivision Bryan County Unplatted	Lot	Block
Legal Description: SEC 29-6-9 OF NENE SAIDSEC BEG SE/C NENE, W 300', N 300', E 300', S 300' POB, (If Un-platted) LESS 1-1-0 (1075/79) & BEG 300'W SE/C NENE, N300' E300', N267', W350', S567', E350'POB LESS 1-41-1 (906/901)			
___ Deed Attached (required) If applicant is not owner listed on deed, owner consent must be included.			

Request Rezoning From: Multiple Zones		Request Rezoning To: I-1	
Present Use: Self Storage		Proposed Use: Self Storage (No Change)	
Parcel Width: 468'	Parcel Length: 569'	Acres: 2.82	Street/Road Frontage: 418'
___ City Water (If City Water will be extended or improvements will be made, please explain:) N/A			
___ City Sewer (If City Sewer will be extended or improvements will be made, please explain:) N/A			
___ Private Water ___ Private Sewer			
Is Property in the Floodplain? No	Is property in the Airport Zone. No		

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


 Signature of Applicant

7/19/2022
 Date

Office Use Only

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

REZONING SUPPORTING INFORMATION

1. List the changed or changing conditions in the area or in the City which makes this zone change necessary. This is simply a correction of past zoning errors. No changes are proposed.

2. Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

This property has been in operation since 1994, so trust it would be grandfathered for any changes to the Comprehensive Plan made since.

3. List any other reasons to support this zone change.

Housekeeping of city records.

I-2021-735257 Book 1566 Pg: 516
07/07/2021 8:57 am Pg 0516-0517
Fee: \$ 20.00 Doc: \$ 465.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

MODERN

abstract and title

WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS:

That **Sisters Storage LLC, a Limited Liability Company**, party/parties of the first part, in consideration of the sum of Ten and more (\$10.00) Dollars, the receipt of which is hereby acknowledged, do(es) by these presents grant, bargain, sell and convey unto **Davis Self Storage, LLC AKA Davis Self Storage LLC, a Limited Liability Company, 5045 Lorimar Drive, Suite 280, Plano, TX 75093**, party/parties of the second part, his/her/their grantees and heirs, all of the following described real property and premises, situated in Bryan County, Oklahoma, to wit:

See Exhibit A attached hereto and made a part hereof.

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

TO HAVE AND TO HOLD said described premises unto said party/parties of the second part, his/her/their grantees and the heirs and grantees of the survivors, forever, free, clear and discharged of and from all former grants, titles, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature. Exceptions: Easements and rights of ways of record; oil, gas, and other mineral leases of record; prior oil, gas, and other mineral conveyances or reservations of record; restrictive and protective covenants of record; and applicable zoning ordinances.

Revenue Stamps: \$465.00

SIGNED AND SEALED this the 2nd day of July, 2021.

Sisters Storage LLC

BY: Tammy Hays
Tammy Hays
Manager

BY: Adelia Burris
Adelia Burris
Manager

STATE OF OKLAHOMA
Bryan County
Documentary Stamps \$ 465.00

NOTARY AND ACKNOWLEDGMENT

STATE OF OKLAHOMA

COUNTY OF BRYAN

I, Jennifer Coley, a Notary Public for the County of Bryan and State of Oklahoma, do hereby certify that Tammy Hays and Adelia Burris, Managers on behalf of Sisters Storage LLC, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 2nd of July, 2021.

Jennifer Coley
Notary Public

My Commission Expires: 5/24/22



EXHIBIT "A"

Tract 1: A part of the NE/4 NE/4 of Section 29, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, described as Beginning at the Southeast Corner of the NE/4 NE/4; thence West 300.00 feet; thence North 300.00 feet; thence East 300.00 feet; thence South 300.00 feet to the Point of Beginning, according to the Government Survey thereof, LESS AND EXCEPT the following tract: A tract of land described as beginning at the Southeast Corner of the NE/4 NE/4 of said Section 29; thence West 221.77 feet; thence North 150 feet; thence East 221.77 feet; thence South 150 feet to the Point of Beginning.

Tract 2: A part of the NE/4 NE/4 of Section 29, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, described as Beginning at a point 300.00 feet West of the Southeast Corner of said NE/4 NE/4; thence North 300.00 feet; thence East 300.00 feet; thence North 267.00 feet; thence West 350.00 feet; thence South 567.00 feet; thence East 50.00 feet to the Point of Beginning, LESS AND EXCEPT a tract described as beginning at a point 350.00 feet West and 567.00 feet North of the Southeast Corner of the NE/4 NE/4 of said Section 29; thence East 225.00 feet; thence South 191.00 feet; thence West 225.00 feet; thence North 191.00 feet to the Point of Beginning.