

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
SPECIAL AGENDA**

March 31, 2021

This meeting will include videoconferencing. Planning Commissioner Clint Horner will be appearing remotely. Planning Commissioner Drew Jackson will be appearing remotely. Planning Commissioner Shane Knight will be appearing remotely. Planning Commissioner Whitney Kerr will be appearing remotely. Chairman Kevin Keener will be appearing remotely. You may watch the Planning Commission meeting live at: www.durant.org/live.

CALL TO ORDER

INVOCATION/FLAG SALUTE

ROLL CALL

ORDER OF BUSINESS

1. Public Hearings

a. CONSIDERATION OF CASE PC2021-09

Consideration of PC2021-09 Requests the approval of a Replat for property located near 1224 N 1st Avenue.

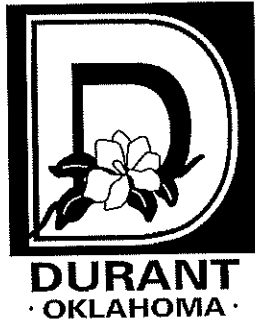
2. New Business

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 29th day of March, 2021 and that an agenda of said meeting was posted at the place of such meeting at 08:00 a.m. on the 29th day of March, 2021.

Audrey Hamilton, Planning Commission Secretary



THE CITY OF DURANT

Office of Community Development

Date: 3/24/2021
To: Planning Commission
Case: PC 2021-09
From: Danielle Barker, Community Development Director
Re: Re-Plat of the property located at 1224 N. 1st Ave

Request: Consider a request from Dixon Park Apartments, LLC, for a re-plat of property located at 1224 N. 1st Ave.

Current Zoning: R-3 General Residential

Surrounding Properties:

Direction	Zoning	Use
North	A-1	Single Family Use
East	I-2	Railroad
South	I-1	Vacant
West	C-3	Commercial Uses

Applicant: Dixon Park Apartments LLC

Background: The applicants approached staff regarding the desire to combine multiple lots into one lot. The property owner owns all of the lots in question and the lots are conjoined. The applicant will continue using the lots for residential purposes. The property owners have also vacated all necessary streets/alleys through District Court.

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

Analysis: The subject property is approximately 16 acres in total. The new lots would exceed the standards of the R-3 zoning category.

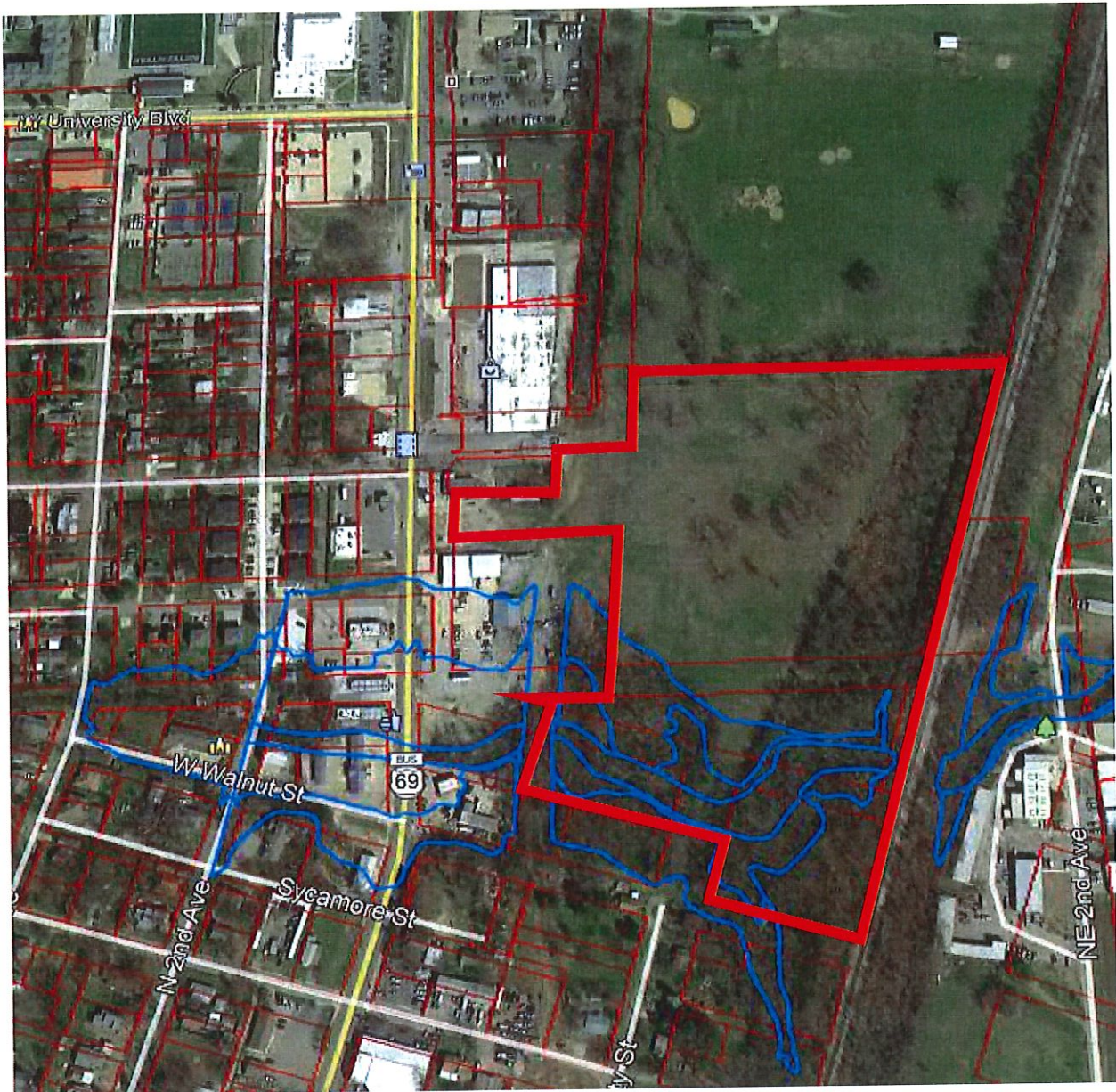
The current Future Land Use Map appears to have this area as commercial / industrial; therefore, this re-plat request is not generally in compliance with the Comprehensive Plan. However, it should be stated that a new Future Land Use Map is being worked on.

The property owner is not attempting to amend or remove any covenants or restrictions that were previously incorporated in the final plat.

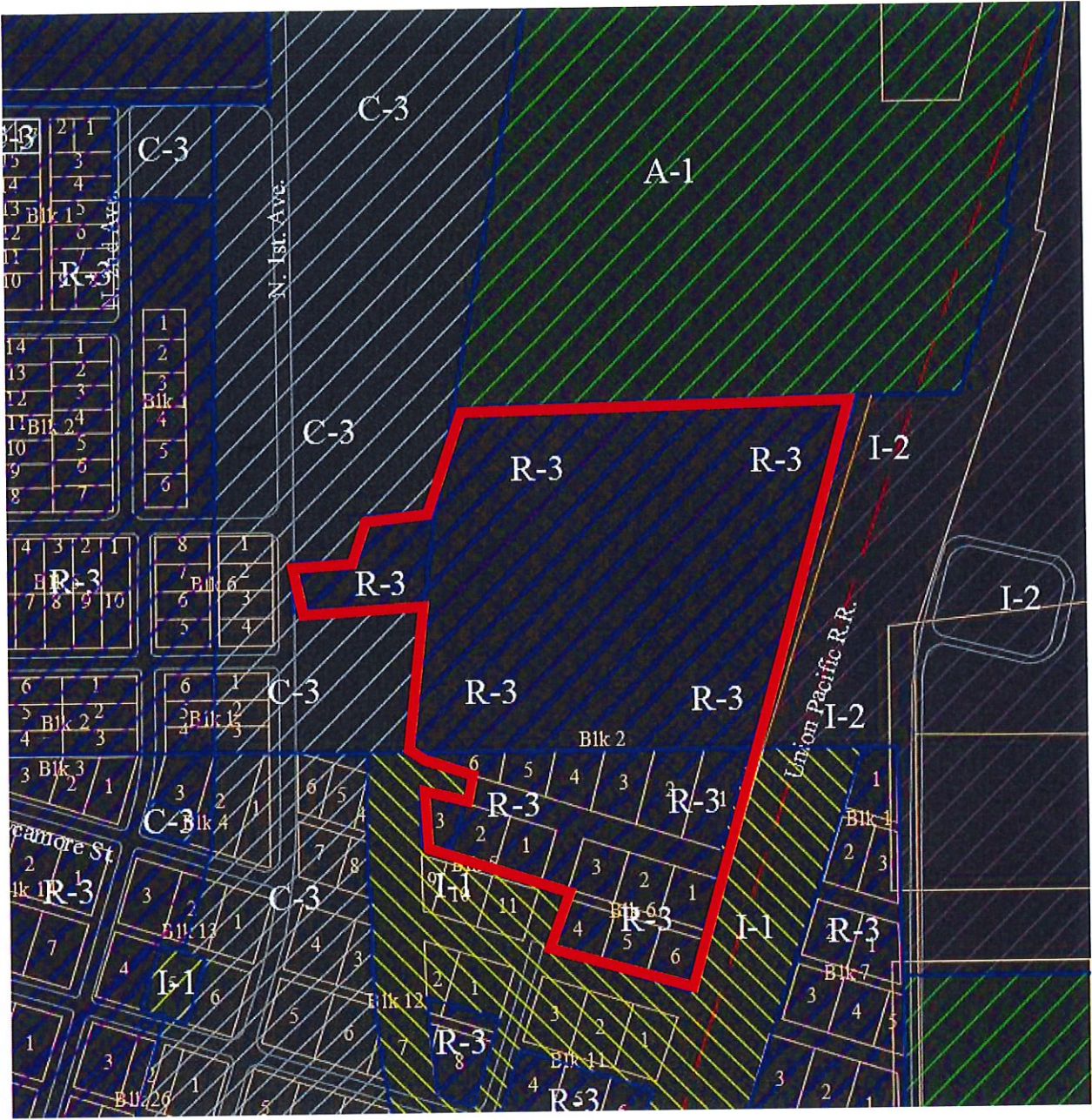
As a reminder, this item will not be heard by City Council. Planning Commission has the final approval on re-plats.

Required Action: Hold a public hearing and approve or deny the re-plat request to combine the proposed lots into one lot located at 1224 N. 1st Ave. Any specific conditions imposed by the Commission should be read into any approval motion.

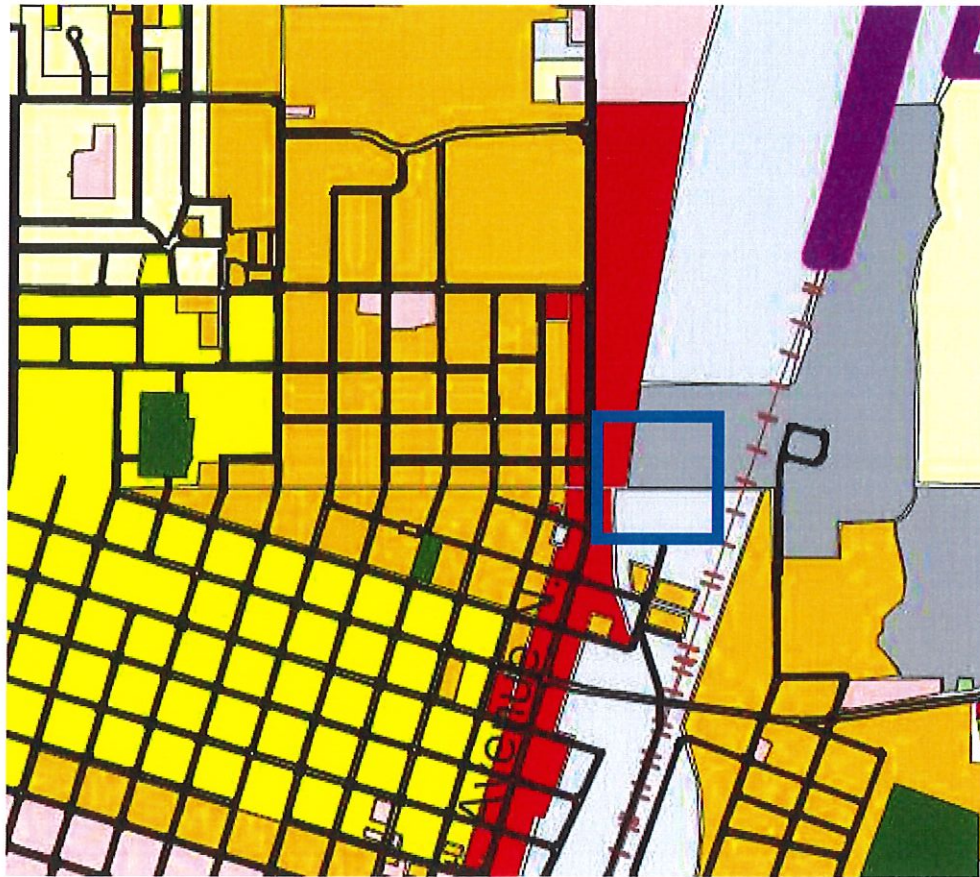
Aerial Map



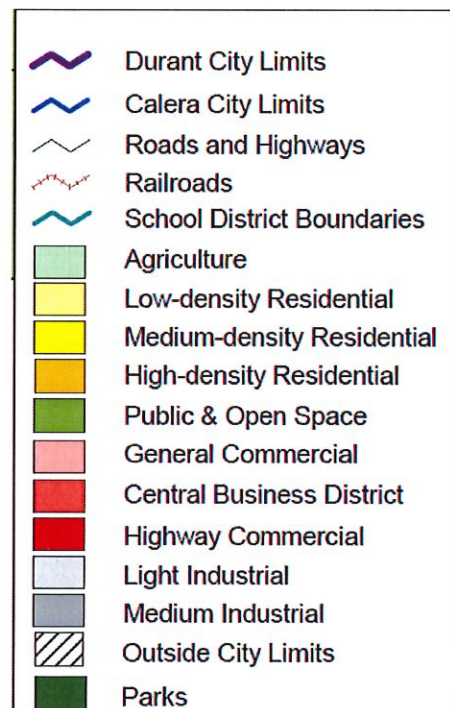
Zoning Map



Future Land Use Map



Approximate Location



Zoning Map

Petition # 2021-09 - N 1st Ave

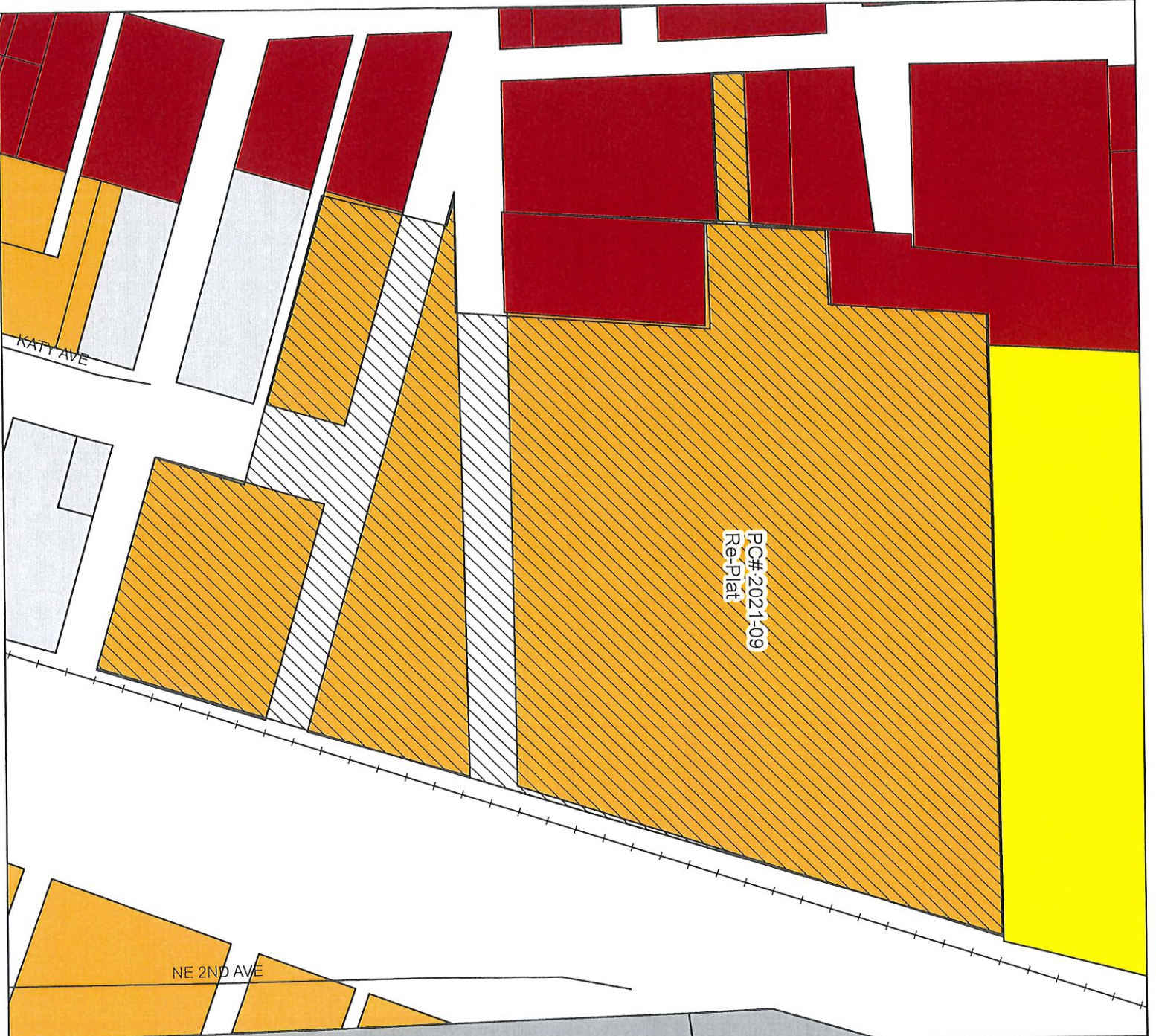
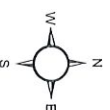
-  A1 - Agriculture
-  C0 - Professional & Business Office
-  C1 - Convenient Commercial
-  C2 - Highway Commercial
-  C3 - General Commercial
-  CBD - Central Business District
-  H1 - Health Facilities
-  I1 - Light Industrial
-  I2 - Medium Industrial
-  R1 - Single Family Residential
-  R2 - Two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

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



City of Durant
Community Development

Printed: March 4, 2021



Zoning Map

Petition # 2021-09 - N 1st Ave



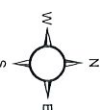
- A1 - Agriculture
- C0 - Professional & Business Office
- C1 - Convenient Commercial
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- CBD - Central Business District
- H1 - Health Facilities
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Use this map as a guide and not as definitive information. The information depicted by this map are provided for illustrative purposes only. Information such as (property ownership, acreage, property boundaries) are to be verified at the Bryan County Assessor's Office by the user. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.



City of Durant
Community Development

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§ 156.007 DEFINITIONS.

REPLATTING. Any change in a map of an approved or recorded plat, except as permitted as an amended plat, that affects any street layout on the map or area reserved or dedicated thereon for public use or any lot line, or that affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions or additions. Replatting includes the combination of lots into a single lot for purposes of development.

§ 156.048 REPLATTING OF LAND.

(A) *Replat required.* Unless otherwise expressly provided for herein, a property owner who proposes to replat any portion of an already approved final plat, other than to amend or vacate the plat, must first obtain approval for the replat under the same standards and by the same procedures prescribed for the platting of land by these regulations. The Community Development Director may waive or modify requirements for a sketch plat under circumstances where the previously approved sketch plat is sufficient to achieve the purposes set forth in these regulations.

(B) *Replatting without vacating preceding plat.* A replat of a final plat or portion of a final plat may be recorded and is controlling over the preceding plat without vacation of that plat if the replat:

- (1) Is signed and acknowledged by only the owners of the property being replatted;
- (2) Is approved, after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard, by the Planning Commission; and
- (3) Does not attempt to amend or remove any covenants or restrictions previously incorporated in the final plat.

(C) *Additional requirements for certain replays.*

(1) A notice of the public hearing shall be published in an official paper or a newspaper of general circulation in the city at least 15 days prior to the date of the public hearing. Notice shall be mailed to all owners of property located within 300 feet of the subject property as provided by a certified abstractor's list at the applicant's cost at least 20 days prior to the hearing;

(2) If the proposed replat requires a variance, and the owners of 20% or more of the area of lots to whom notice is required to be given under division (B) file with the Planning Commission a written protest of the replatting before or at the hearing, approval of the replat will require the affirmative vote of four of the Planning Commission members. In computing percentages of ownership, each lot is considered equal to all other lots regardless of size or number of owners, and the owners of each lot are entitled to cast only one vote per lot. The area of streets and alleys shall be included in computing the percentage of land area.

(3) Any replat which adds or deletes lots must include the original lot boundaries.

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

Subdivision/Plat Application

Preliminary Plat: ☐

Final Plat: ☒

Re-Plat: ☒

Lot Split ☐

Petition # 2021-09

Fee \$ 200 bal

Expedited Fee \$ 500

APPLICANT INFORMATION

Name: Dixon Park Apartments, LP Mandi Paswaters, Senior Manager of Legal Services		Email: mpaswaters@gardnercapital.com	Phone #1 (417) 447-1800
Mailing Address: 4803 South National Avenue, Suite 300			Phone #2 (314) 561-5900
City: Clayton	State: Missouri	Zip: 63105	Fax # (417) 447-5515
Applicant's Interest in Property: Owner			

SURVEYOR INFORMATION

Name: Fox Engineering, Inc.		Email: foxengineering@sbcglobal.net	Phone #1 (580) 223-2319
Mailing Address: P. O. Box 666			Phone #2
City: Ardmore	State: Oklahoma	Zip: 73402	Fax # (580) 223-2492
Surveyor Oklahoma License Number: 1165			

ENGINEER INFORMATION

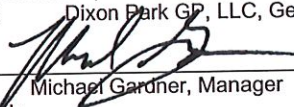
Name: Fox Engineering, Inc.		Email: foxengineering@sbcglobal.net	Phone #1 (580) 223-2319
Mailing Address: P. O. Box 666			Phone #2
City: Ardmore	State: Oklahoma	Zip: 73402	Fax # (580) 223-2492
Engineer Oklahoma License Number: 12297			

LAND INFORMATION

Legal Description: See attached plat	Parcel Number: A 399-28-065-098-3-008-00
Proposed Subdivision Name: Dixon Park Addition	Current Zone: R-3 Multi-family residential
Proposed Use: apartment complex	Proposed Zone: R-3 Multi-family residential
Current Property Owner's Name: Dixon Park Apartments, LP	

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

Dixon Park Apartments, LP
By: Dixon Park GP, LLC, General Partner

Applicant:  Date: 3/2/21

Michael Gardner, Manager

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: The property is used as a multi-family affordable housing project with 60 units (54 affordable units). There are eight two-story buildings with two and three-bedroom units.

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking: Curbed parking lots have been constructed in between the buildings.
2. Screening of offensive areas (trash, loading areas, transformers, utility connections, detention ponds, etc.). The trash area has been screened. No other areas need screening.
3. Traffic Impacts:
The property has an ingress/egress road to North First Avenue. No significant impact on North First Avenue is expected.
4. Protection of Neighborhoods:
This area is set away from North First Avenue. North First Avenue is commercial to the west of this development. The railroad is east of the development; beyond that is the wastewater plant. This development should not have any impact on the neighborhoods further to the west.

What licenses and permits (if any) are required for this proposed use?
No additional licenses and permits are required.

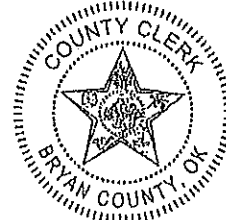
Please list or describe any other reasons to support this Planned Unit Dev. Permit Application.

The apartment project has already received all necessary permits for its construction, construction has been completed, and the apartment units are occupied. It is now an asset to the City of Durant.

After recording, return to:
Gardner Capital, Inc
Attn: Mandi Paswaters
4803 S. National Ave Suite 200
Springfield, MO 65810

1-2018-705205 Book 1470 Pg: 781
08/20/2018 10:40 am Pg 0781-0784
Fee: \$ 19.00 Doc: \$ 450.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

**WARRANTY DEED
STATUTORY**



File No.: 18-03-0393

Documentary Stamps: \$450.00
Sales Price: \$300,000.00

That Allen Wheeler and Betty Wheeler, husband and wife (the "Grantor"), in consideration of the sum of TEN & NO/100 Dollars and other valuable consideration, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby, grant, bargain, sell and convey unto Dixon Park Apartments, LP (the "Grantee"), the following described real property and premises situate in Bryan County, Oklahoma, to wit:

SEE ATTACHED LEGAL DESCRIPTION

PROPERTY ADDRESS: 1260 North 1st Street, Durant, OK 74701

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same. LESS AND EXCEPT any interest in and to oil, gas, coal, metallic ores and other minerals therein and thereunder previously reserved or conveyed of record and all rights, interests and estates of whatsoever nature incident thereto or arising thereunder, and SUBJECT TO easements, rights of way, and 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.

STATE OF OKLAHOMA
Bryan County
Documentary Stamps \$ 450.00

ELITE TITLE SERVICES
7510 EAST 111TH ST
BIXBY, OK 74008

18-03-0393

(1)

Signed and delivered this June 14th, 2018.

Allen Wheeler
Allen Wheeler

Betty Wheeler
Betty Wheeler

STATE OF Oklahoma

COUNTY OF Bryan

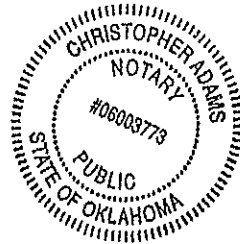
I, the undersigned, a Notary Public, do hereby certify that Allen Wheeler and Betty Wheeler, husband and wife personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 14th of June, 2018.

Christopher Adams
Notary Public

My Commission Expires: 4/12/2022

(SEAL)



1-2018-705205 Book 1470 Pg: 782
06/20/2018 10:40 am Pg 0781-0784
Fee: \$ 19.00 Doc: \$ 450.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

EXHIBIT A

A part of the SW/4 NW/4 SW/4 of Section 28, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, more particularly described as follows: BEGINNING at a point 30 feet East and 288.75 feet North of the Southwest corner of the NW/4 SW/4 of said Section 28; Thence North along the East right-of-way line of U.S. Highway 69 & 75 a distance of 192.5 feet; Thence East a distance of 20 feet; Thence North a distance of 83.57 feet; Thence East a distance of 206.0 feet to the West right-of-way line of the M.O. & G. Railroad; Thence South 5 degrees 28 minutes West a distance of 277.33 feet; Thence West a distance of 199.98 feet to the point of beginning. LESS AND EXCEPT the North 169 feet thereof.

AND

A part of the SW/4 NW/4 SW/4 of Section 28, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, more particularly described as follows: The North 89 feet of the North 169 feet of a tract of land described as BEGINNING at a point 30 feet East and 288.75 feet North of the Southwest corner of the NW/4 SW/4 of said Section 28; Thence North along the East right-of-way line Thence North along the East right-of-way line of U.S. Highway 69 & 75 a distance of 192.5 feet; Thence East a distance of 20 feet; Thence North a distance of 83.57 feet; Thence East a distance of 206.0 feet to the West right-of-way line of the M.O. & G. Railroad; Thence South 5 degrees 28 minutes West a distance of 277.33 feet; Thence West a distance of 199.98 feet to the point of beginning.

AND

A part of the NW/4 SW/4 of Section 28, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, more particularly described as follows: BEGINNING 312.94 feet North 89 degrees 40 minutes 30 seconds East along the South line of the NW/4 SW/4 from the Southwest corner of NW/4 SW/4 of said Section 28 to a point on the Easterly right-of-way of the K.O. & G. Railroad (abandoned); Thence North 5 degrees 28 minutes 24 seconds East along the Easterly right-of-way of the K.O. & G. Railroad for a distance of 662.70 feet to a point on the North line of the S/2 NW/4 SW/4 of said section 28; Thence North 89 degrees 44 minutes 49 seconds East along the North line of the S/2 NW/4 SW/4 of said Section 28 a distance of 807.1 feet to a point 25 feet West of the Westerly right-of-way of the Union Pacific Railroad; Thence South 18 degrees 46 minutes 51 seconds West along and 25 feet West of the Westerly right of way of the Union Pacific Railroad a distance of 698.64 feet to a point on the South line of the NW/4 SW/4 of said Section 28; Thence South 89 degrees 40 minutes 30 seconds West along the South line of the NW/4 SW/4 of said Section 28 a distance of 646.03 feet to the point of beginning.

LESS AND EXCEPT A tract of land commencing at the Southwest corner of the SW/4 of Section 28, Township 6 South, Range 9 East, Thence North 01 degrees 02 minutes 41 seconds West along the West line of said SW/4 a distance of 1796.55 feet; Thence North 88 degrees 52 minutes 28 seconds East a distance of 30.00 feet to the Point of Beginning; Thence North 01 degrees 02 minutes 41 seconds West 5.43 feet; Thence North 88 degrees 52 minutes 28 seconds East a distance of 20.00 feet; Thence North 01 degrees 02 minutes 41 seconds West a distance of 83.57 feet; Thence North 88 degrees 52 minutes 28 seconds East a distance of 287.72 feet to the Centerline of the abandoned M.O. & G Railroad; Thence North 05 degrees 08 minutes 56 seconds East along centerline a distance of 96.05 feet to the North line of the S/2 NW/4 SW/4; Thence North 88 degrees 53 minutes 09 seconds East along said North line a distance of 79.76 feet; Thence South 05 degrees 08 minutes 56 seconds West and parallel with the East line of the abandoned MO&G railroad a distance of 185.67 feet; Thence South 88 degrees 52 minutes 28 seconds West a distance of 377.83 feet to the Point of Beginning.

AND

A part of the S/2 NW/4 SW/4 of Section 28, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, more particularly described as follows: A strip of land 150 feet in width, that is 75 feet on each side of and immediately adjacent and parallel to the center line of the M.O.

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06/20/2018 10:40 am Pg 0781-0784
Fee: \$ 19.00 Doc: \$ 450.00
Tammy Reynolds - Bryan County Clerk
State of Oklahoma

& G. Railroad Right of Way. Said center line entering the S/2 NW/4 SW/4 of said section 28 on its North line at a point approximately 250 feet East of the Northwest corner thereof, running thence Southwesterly on a straight line to the South line of said S/2 NW/4 SW/4 to a point approximately 170 feet East of the Southwest corner thereof.

LESS AND EXCEPT that portion described as beginning at the Southwest Corner of the NW/4 SW/4 of Said Section 28; Thence North along the West line of said NW/4 SW/4 a distance of 17.5 poles to a stake; Thence East to the West Right of Way line of the M.O. & G. Railroad Right of Way (now K.O. & G. Railway) for the True Point of Beginning, Thence East 150 feet to the East line of said Railroad Right of Way; Thence Southwesterly along the East line of said Railroad Right of Way to the South line of the NW/4 SW/4 of said Section 28; Thence West 150 feet along the South line of said S/2 NW/4 SW/4 to the West line of said Railroad Right of Way; Thence Northeasterly along the West line of said Railroad Right of Way to the True Point of Beginning.

AND

Lots 1 and 2 and that part of Lot 3 lying East of the M.O. & G. Railroad (abandoned) in Block 5 and all of Block 2, less and except that portion of the East 25 feet thereof adjacent to the Union Pacific Railroad right of way which is part of Union Pacific Railroad property and all of Block 6 in the City of Durant, Bryan County, Oklahoma, according to the Official Plat thereof, including all right, title, claim, estate and interest in and to any and all abandoned or vacated or foreclosed streets, alleys and rights-of-way pertaining to the property, and also any railroad right-of-way easement and/or grants of any kind or character which have been abandoned, relinquished or disclaimed by any railroad

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FINAL PLAT OF DIXON PARK ADDITION TO DURANT, OKLAHOMA

ZONING

R-3 MULTI-FAMILY
RESIDENTIAL

OWNER

DIXON PARK APARTMENTS, LP
8000 MARYLAND AVE
CLAYTON, MI 63105

SETBACKS

MINIMUM LOT AREA (SQUARE FEET) - 6,000 FOR SINGLE - FAMILY
MINIMUM LOT AREA (SQUARE FEET) - 8,000 FOR TWO - FAMILY
MINIMUM LOT FRONTAGE - 50.0' FOR SINGLE - FAMILY
MINIMUM LOT FRONTAGE - 70.0' FOR TWO - FAMILY
MAXIMUM COVERAGE - 50%
MAXIMUM HEIGHT - 35.0'
MINIMUM FRONT - 25.0' MIN.
(NO LESS THAN 1/2 HALF OF BLD HEIGHT)
MINIMUM SIDE - 5.0' INTERIOR
MINIMUM SIDE - 15.0' EXTERIOR
MINIMUM BACK - 20.0'

MONUMENTS

- SET 5/8" REBAR
- FOUND EXISTING MONUMENT

NOTE:
OG&E BEARINGS FROM THEIR DOCUMENT WERE ROTATED
COUNTERCLOCKWISE 0°55'18"

EXISTING LEGAL DESCRIPTION

A part of the SW1/4 NW1/4 of Section 28, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, more particularly described as follows: BEGINNING at a point 30 feet East and 288.75 feet North of the Southwest corner of the NW1/4 SW1/4 of said Section 28; Thence North 88°52'36"E along the East right-of-way line of U.S. Highway 69 & 75 a distance of 20 feet; Thence East a distance of 20 feet; Thence North a distance of 83.57 feet; Thence East a distance of 206.0 feet to the West right-of-way line of the M.O. & G. Railroad; Thence South 88°52'36"E along the West right-of-way line of the M.O. & G. Railroad a distance of 199.96 feet to the point of beginning, LESS AND EXCEPT the North 169 feet thereof.

A part of the NW1/4 NW1/4 of Section 28, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, more particularly described as follows: BEGINNING at a point 30 feet East and 288.75 feet North of the Southwest corner of the NW1/4 SW1/4 of said Section 28; Thence North 88°52'36"E along the East right-of-way line of U.S. Highway 69 & 75 a distance of 20 feet; Thence East a distance of 20 feet; Thence North a distance of 83.57 feet; Thence East a distance of 206.0 feet to the West right-of-way line of the M.O. & G. Railroad; Thence South 88°52'36"E along the West right-of-way line of the M.O. & G. Railroad a distance of 199.96 feet to the point of beginning, LESS AND EXCEPT the North 169 feet thereof.

A part of the NW1/4 NW1/4 of Section 28, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, more particularly described as follows: BEGINNING at a point 30 feet East and 288.75 feet North of the Southwest corner of the NW1/4 SW1/4 of said Section 28; Thence North 88°52'36"E along the East right-of-way line of U.S. Highway 69 & 75 a distance of 20 feet; Thence East a distance of 20 feet; Thence North a distance of 83.57 feet; Thence East a distance of 206.0 feet to the West right-of-way line of the M.O. & G. Railroad; Thence South 88°52'36"E along the West right-of-way line of the M.O. & G. Railroad a distance of 199.96 feet to the point of beginning, LESS AND EXCEPT the North 169 feet thereof.

A tract of land commencing at the Southwest corner of the SW1/4 of Section 28, Township 6 South, Range 9 East, Thence North 01°02'40" West a distance of 1612.86 feet to the True Point of Beginning; Thence North 88°52'36"E along the East right-of-way line of U.S. Highway 69 & 75 a distance of 20 feet; Thence East a distance of 20 feet; Thence North a distance of 83.57 feet; Thence East a distance of 206.0 feet to the West right-of-way line of the M.O. & G. Railroad; Thence South 88°52'36"E along the West right-of-way line of the M.O. & G. Railroad a distance of 199.96 feet to the point of beginning, LESS AND EXCEPT the North 169 feet thereof.

A part of the S1/2 NW1/4 SW1/4 of Section 28, Township 6 South, Range 9 East of the Indian Base and Meridian, Bryan County, Oklahoma, more particularly described as follows: A straight line in width, that is 75 feet on each side of and immediately adjacent and parallel to the center line of the M.O. & G. Railroad Right of Way, said center line entering the S1/2 NW1/4 SW1/4 of said Section 28 on its North line at a point approximately 250 feet East of the Northwest corner thereof, running thence Southwesterly on a straight line to the South line of said S1/2 NW1/4 SW1/4 of said Section 28, approximately 170 feet East of the Southwest corner thereof.

LESS AND EXCEPT that portion described as beginning at the Southwest corner of the NW1/4 SW1/4 of said Section 28, Thence North 88°52'36"E along the East right-of-way line of U.S. Highway 69 & 75 a distance of 20 feet; Thence East a distance of 20 feet; Thence North a distance of 83.57 feet; Thence East a distance of 206.0 feet to the West right-of-way line of the M.O. & G. Railroad; Thence South 88°52'36"E along the West right-of-way line of the M.O. & G. Railroad a distance of 199.96 feet to the point of beginning, LESS AND EXCEPT the North 169 feet thereof.

NEW METES & BOUNDS LEGAL DESCRIPTION

Being a part of the S1/2 NW1/4 SW1/4 of Section 28, Township 6 South, Range 9 East of the Indian Base and Meridian Bryan County, Oklahoma and being all of Lots 1, 2, 3, 4, 5 & 6, Block 5, Lots 1, 2, 3, 4, 5 & 6, Block 6 and the adjacent streets and alleys between Blocks 2, 5 & 6 of the Original Town Plat of Durant, Oklahoma according to the recorded plat the being more particularly described by metes and bounds as follows:

Commencing at a 3/8" steel rod found maintaining the southwest corner of said Section 28; Thence North 01°02'40" West, along the west line of said Section 28, a distance of 1612.86 feet to the True Point of Beginning; Thence North 88°52'36"E East, a distance of 30.00 feet to the east right-of-way line of First Avenue (Old Highway No. 69/75) said point being the True Point of Beginning; Thence North 01°02'40" West, along the East line of said First Avenue a distance of 103.61 feet; Thence North 88°52'36"E East a distance of 288.85 feet in the center of the former K.O. & G. Railroad; Thence North 01°02'40" West, along the East line of said First Avenue a distance of 103.61 feet; Thence North 88°52'36"E East, a distance of 80.20 feet; Thence North 05°08'56"E East a distance of 150 feet to a point in the north line of said S1/2 NW1/4 SW1/4; Thence North 88°52'36"E East along the south line of said S1/2 NW1/4 SW1/4 a distance of 777.61 feet to a point, said point being 15 feet perpendicular to the center of the Union Pacific Railroad (formerly the M.K.&T. Railroad) said point being 92.3 feet perpendicular to the center of the existing tracks; Thence South 77°14'46" West, parallel and 25 feet from the existing UP Railroad right-of-way a distance of 1213.89 feet to a point in the south line of Block 6 of said O.T.P. Durant; Thence North 74°14'46" West, along the south line of said Block 6, a distance of 276.00 feet to the southwest corner of Lot 4, Block 6; Thence North 15°45'14" East along the West line of said Lot 4 a distance of 130.00 feet to the southeast corner of Lot 4, Block 6; Thence North 74°14'46" West along the South line of Lots 1, 2 & 3 in Block 5, a distance of 289.62 feet to the east right-of-way line of said abandoned K.O. & G. Railroad (wide ROW); Thence along the East line of said K.O. & G. Railroad with a non-tangent curve to the right having a radius of 1864.51 feet, (chord bears North 03°20'45" East, a distance of 121.36 feet length of 121.38 feet to a point; Thence North 05°11'40" East continuing along the East line of said K.O. & G. Railroad a distance of 52.36 feet to a point on the South line of Lot 6 Block 2 of the O.T.P. Durant; Thence North 74°14'46" West along the South line of said Lot 6 a distance of 123.71 feet; Thence North 89°07'32" E along the North line of said Lot 6 Block 2 of the O.T.P. Durant a distance of 147.44 feet to the East line of said abandoned K.O. & G. Railroad right-of-way (150' wide right-of-way); Thence North 05°11'40" East continuing along the East right-of-way line of said K.O. & G. Railroad a distance of 206.0 feet to a point; Thence South 88°52'36"E West a distance of 352.97 feet to the Point of Beginning and containing 16.84 acres of land.

Above legal description was written by J. Steven Fox, P.L.S. #1165 on May 18th, 2020 using existing deeds as a basis of bearing.

COUNTY TREASURER'S CERTIFICATE

I, _____, DO HEREBY CERTIFY THAT I AM DULY ELECTED, QUALIFIED, AND ACTING AS COUNTY TREASURER OF BRYAN COUNTY, STATE OF OKLAHOMA, THAT THE TAX RECORDS OF SAID COUNTY, SHOW ALL TAXES ARE PAID FOR THE YEAR 2021, AND PRIOR YEARS ON THE LAND SHOWN ON THE FINAL PLAT OF DIXON PARK ADDITION TO DURANT, OKLAHOMA, AND DEPOSITED IN THE OFFICE OF THE COUNTY TREASURER GUARANTEEING PAYMENTS OF THE CURRENT YEARS TAXES, IN WHEREOF, SAID COUNTY TREASURER HAS CAUSED THE INSTRUMENT TO BE EXECUTED AT DURANT, OKLAHOMA, ON THIS DAY OF _____, 2021.

CERTIFICATE OF RECORDING

THIS DOCUMENT, NUMBER _____, FILED FOR RECORD THE _____ DAY OF _____, 2021, IN PLAT BOOK _____, PAGE _____.

OWNER'S CERTIFICATE & DEDICATION

WE, THE UNDERSIGNED, DO CERTIFY THAT WE ARE THE OWNERS OF AND THE ONLY PERSONS HAVING ANY RIGHT, TITLE, OR INTEREST IN THE LAND SHOWN ON THE FINAL PLAT OF DIXON PARK ADDITION TO DURANT, OKLAHOMA, AND THAT THE PLAT REPRESENTS A CORRECT SURVEY OF THE HEREON DESCRIBED PROPERTY MADE WITH OUR CONSENT, AND THAT WE HEREBY DEDICATE FOR PUBLIC USE ALL THE STREETS SHOWN, AND THAT THE EASEMENTS SHOWN ON THE PLAT ARE FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES, AND THAT WE HEREBY GUARANTEE A CLEAR TITLE TO ALL LANDS SO DEDICATED FROM OURSELVES, OUR HEIRS, AND OR ASSIGNS.

WITNESS OUR HANDS THIS _____ DAY OF _____, 2021.

MANAGER OF THE GENERAL
DIXON PARK

STATE OF OKLAHOMA)
COUNTY OF BRYAN)

ON THIS 9th DAY OF March, 2021, BEFORE ME PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE OWNERS OF THE _____, WHO EXECUTED THE ABOVE INSTRUMENT IN THEIR CAPACITY AS OWNERS AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

MY COMMISSION EXPIRES: 6/17/24
NOTARY PUBLIC NO. 13281245

REGISTERED LAND SURVEYOR'S CERTIFICATE

I, J. STEVEN FOX, REGISTERED LAND SURVEYOR NO. 1165 IN THE STATE OF OKLAHOMA, HEREBY STATE THAT THE PLAT OF DIXON PARK ADDITION TO DURANT, OKLAHOMA CORRECTLY REPRESENTS AN ACCURATE SURVEY THEREOF, MADE UNDER MY SUPERVISION AND THAT THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THEIR RESPECTIVE POSITIONS ARE CORRECTLY SHOWN.

THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARD FOR THE PRACTICE OF LAND SURVEYING.

J. STEVEN FOX
REGISTERED LAND SURVEYOR #1165

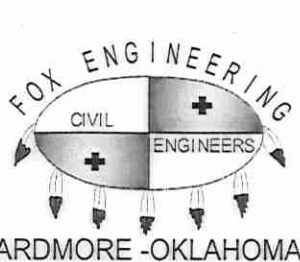
ON THIS 9th DAY OF March, 2021

10-01-2023

MY COMMISSION EXPIRES: _____

CERTIFICATE OF AUTHORIZATION NO. 5133

CERTIFICATE OF AUTHORIZATION EXPIRES 6-30-2022



Fox Engineering, Inc.
211 E. Street N.W., PO Box 666
Ardmore, Oklahoma 73401
Phone: 580.223.2319
Fax: 580.223.2492
E-mail: foxengineering@sbcglobal.net

NOTARY PUBLIC NO. _____

NOTARY PUBLIC NO. _____

NOTARY PUBLIC NO. _____