

TULSA METROPOLITAN AREA PLANNING COMMISSION

For Meeting No. 2499

December 5, 2007

1:30 PM

**Francis Campbell City Council Room
Plaza Level, Tulsa Civic Center**

CONSIDER, DISCUSS AND/OR TAKE ACTION ON

Call to Order:

REPORTS

Chairman's Report:

Worksession Report:

Comprehensive Plan Report:

Report on the update of the Comprehensive Plan

Director's Report:

COMPREHENSIVE PLAN PUBLIC HEARING

1. **Proposed amendment for District 18 Plan Map, a part of the Comprehensive Plan for the Tulsa Metropolitan Area and Resolution. (Resolution No. 2499:890)**

CONSENT AGENDA

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

2. **Mingo Crossing Park – (9431)/Minor Subdivision Plat (PD 18) (CD 5)**
Southeast corner of East 59th Street South and Mingo Road
(Request continuance to 12/19/07 for further TAC review)

3. **CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**

PUBLIC HEARINGS

4. **L-20159 –White Surveying – (1326)/Lot-Split (County)**
8470 North 66th East Avenue (Staff is requesting a continuance to December 19, 2007 to allow BOA hearing on 12/18/07.)
5. **BOA 20605 – (9432)/Plat Waiver (PD 19) (CD 5)**
11636 East 51st Street
6. **PUD-346-B – DeShazo, Tang & Assoc. (PD-18) (CD-2)**
Southeast corner of East 88th Street South and South Lewis Avenue (Major Amendment to split the 1.375 acres into two distinct development areas, Development Area A and B, to allow construction of a separate free-standing 88 unit Senior Assisted Living Facility.)

- | | | |
|-----|---|--------------------------------------|
| 7. | <u>Z-7080 – Charles Norman/Union Public Schools</u>
Southeast corner of East 62 nd Street and South Mingo Road | CO to OM
(PD-18b) (CD-6) |
| 8. | <u>Z-7081 – Augustus C. Oliver, Jr.</u>
South of southeast corner South 25 th West Avenue and West 45 th Place | RS-3 to RS-4
(PD-9) (CD-2) |
| 9. | <u>Z-7082 – Don R. Loyd</u>
East of northeast corner of South Yale Avenue and East 32 nd Street South | RS-2 to CG
(PD-18b) (CD-5) |
| 10. | <u>CZ-388 – David Stone/Gilcrease Foundation</u>
North of West 158 th Street, between South 33 rd Avenue and South 26 th Avenue (Continued from 8/15/07 and 09/19/07)
(Applicant's Attorney has indicated that his client is withdrawing this zoning application.) | AG to IL
(County) |
| 11. | <u>PUD-533-B-2 – Sack & Associates</u>
Northeast corner of 27 th Street South and Skelly Drive (I-44) service road; Lot 1, Block 1, Grizzly Mountain Mercantile (Minor Amendment to allow a lot-split creating two tracts in Lot 1, Block 1.) (Continued from 10/24/07 and 11/07/07) | (PD-5) (CD-5) |

OTHER BUSINESS

- | | |
|-----|---|
| 12. | <u>Vacation of Easements – Southern Woods Park III</u>
North of East 91 st Street South, West of South Yale Avenue (continued from 11/28/07) |
| 13. | Commissioners' Comments |

ADJOURN

PD = Planning District/CD = Council District

NOTICE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526

Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG.

Ringin/sound on all cell phones and paggers must be turned off during the Planning Commission.

Visit our website @ www.tmapc.org

The mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide comprehensive planning, zoning and land division services for the City of Tulsa and Tulsa County through a joint city-county cooperative planning commission resulting in the orderly development of the Tulsa Metropolitan Area and enhancing and preserving the quality of life for the region's current and future residents.

TMAPC Mission Statement

RESOLUTION NO.: 2499:890

**A RESOLUTION AMENDING
THE DISTRICT 18 PLAN MAP,
A PART OF THE COMPREHENSIVE PLAN FOR THE TULSA
METROPOLITAN AREA**

WHEREAS, Pursuant to Title 19, OSA, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th day of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which Plan was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law; and

WHEREAS, the TMAPC is required to prepare, adopt and amend, as needed, in whole or in part, an official Master Plan to guide the physical development of the Tulsa Metropolitan Area; and

WHEREAS, on the 27th day of August, 1975, this Commission, by Resolution No. 1078:403 did adopt the District 18 Plan Map and Text, a part of the Comprehensive Plan for the Tulsa Metropolitan Area; and

WHEREAS, a public hearing was held on the 5th day of December, 2007 and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19, OSA, Section 863.7, to amend the District 18 Plan Map, a part of the Comprehensive Plan of the Tulsa Metropolitan Area, by designating the area east of Riverside Drive east to the easternmost lot line of properties east of and fronting South Quincy Avenue, south of the southernmost lot lines of properties fronting on East 71st Street south to East 75th Street/Riverside Drive as Medium Intensity-No Specific land use.

NOW, THEREFORE, BE IT RESOLVED by the TMAPC, that the amendment of the District 18 Plan Map, as set out above, be and is hereby adopted as part of the Comprehensive Plan for the Tulsa Metropolitan Area.

DATED this ____ day of _____, 2007.

TULSA METROPOLITAN AREA PLANNING COMMISSION

Chair

ATTEST:

Secretary

RESOLUTION NO.: 2499:890

APPROVED by the City Council of the City of Tulsa, Oklahoma this _____ day
of _____, 20__.

Mayor

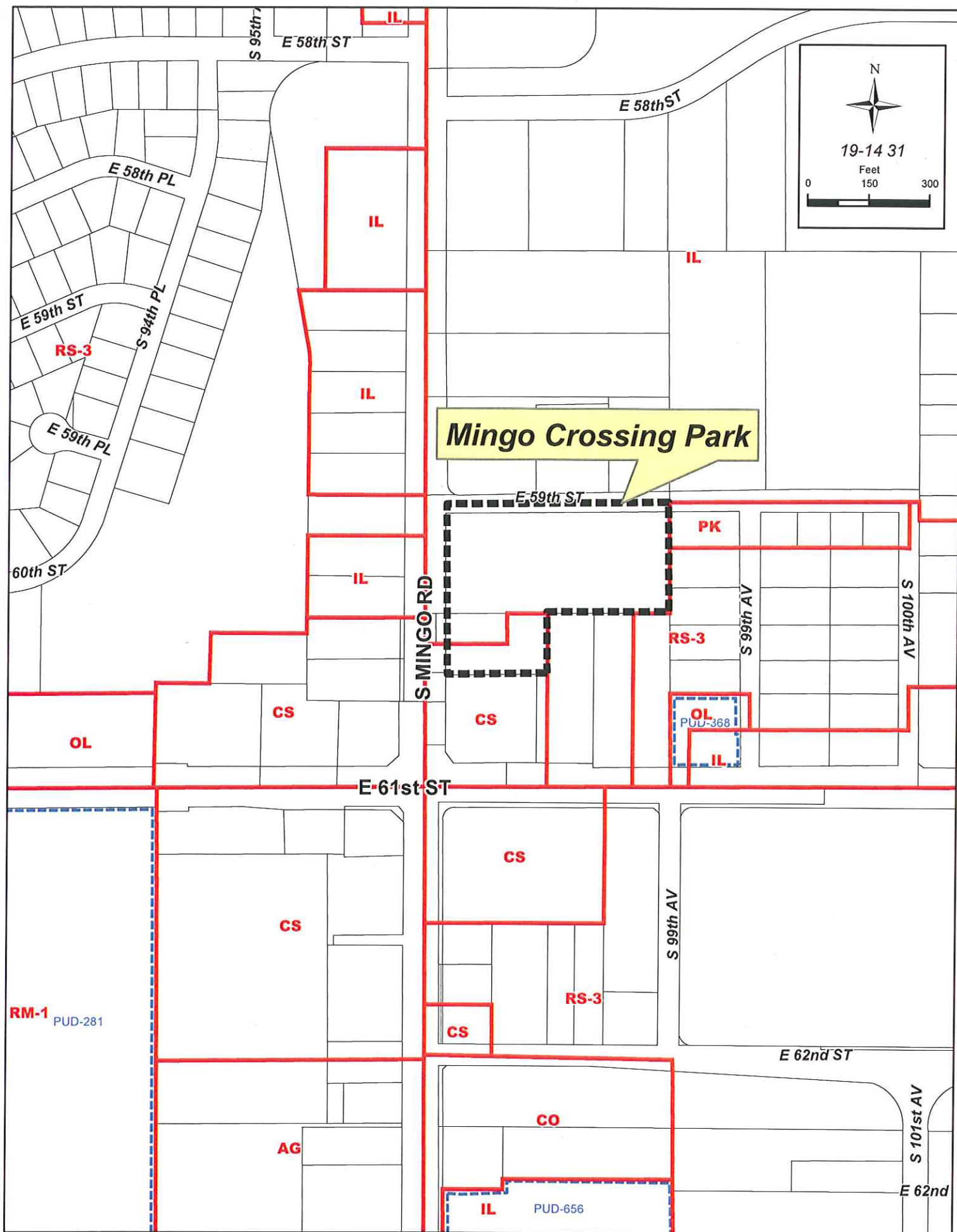
Council Chair

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney



AG

AG

E 86th ST N

L-20159

E 85th ST N

N 67th AV

N SHERIDAN RD

N 66th AV

N 67th AV

N 68th AV

E 84th ST N

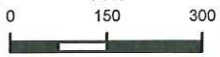
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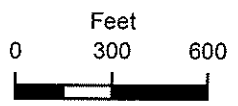
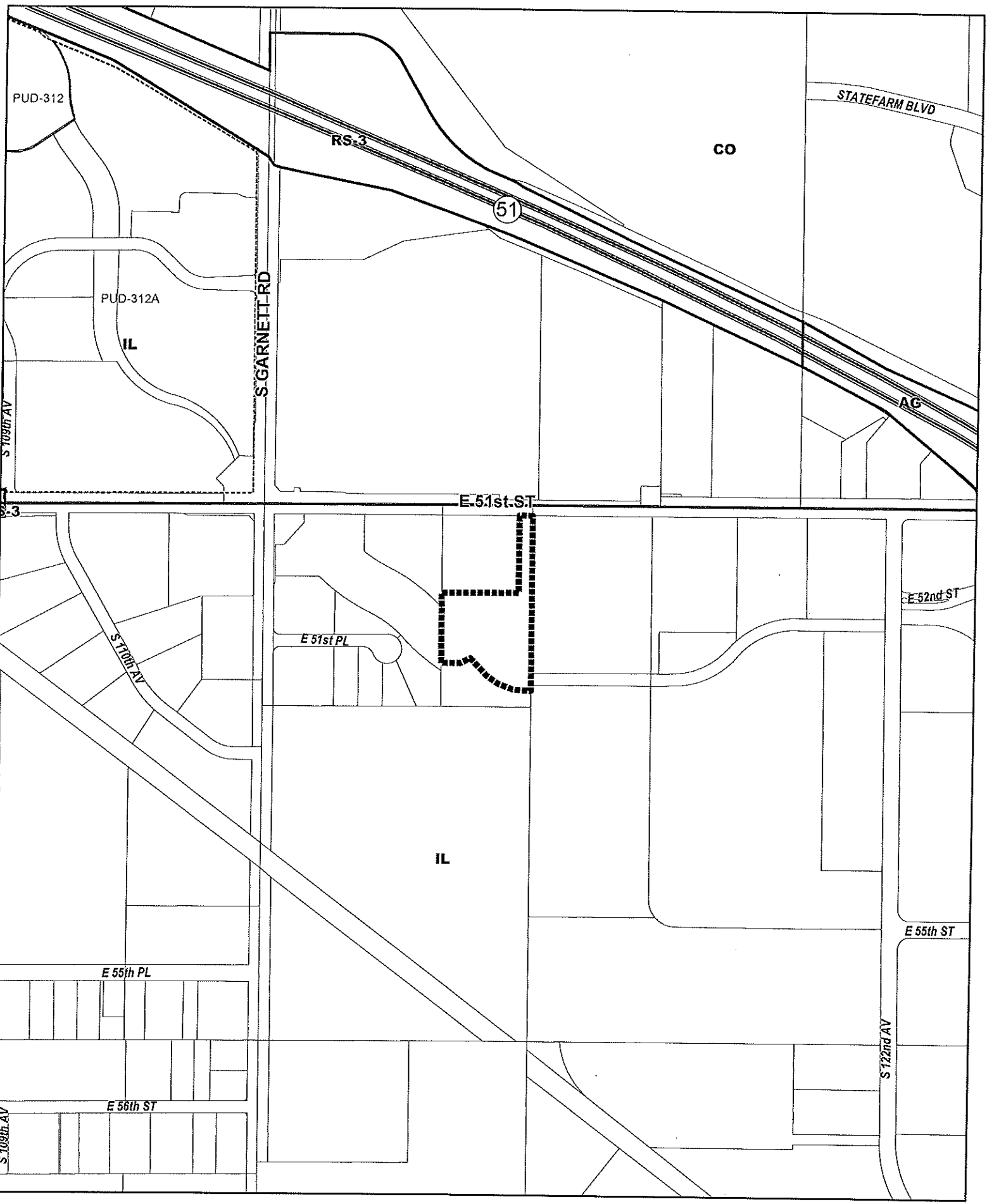
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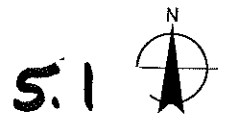
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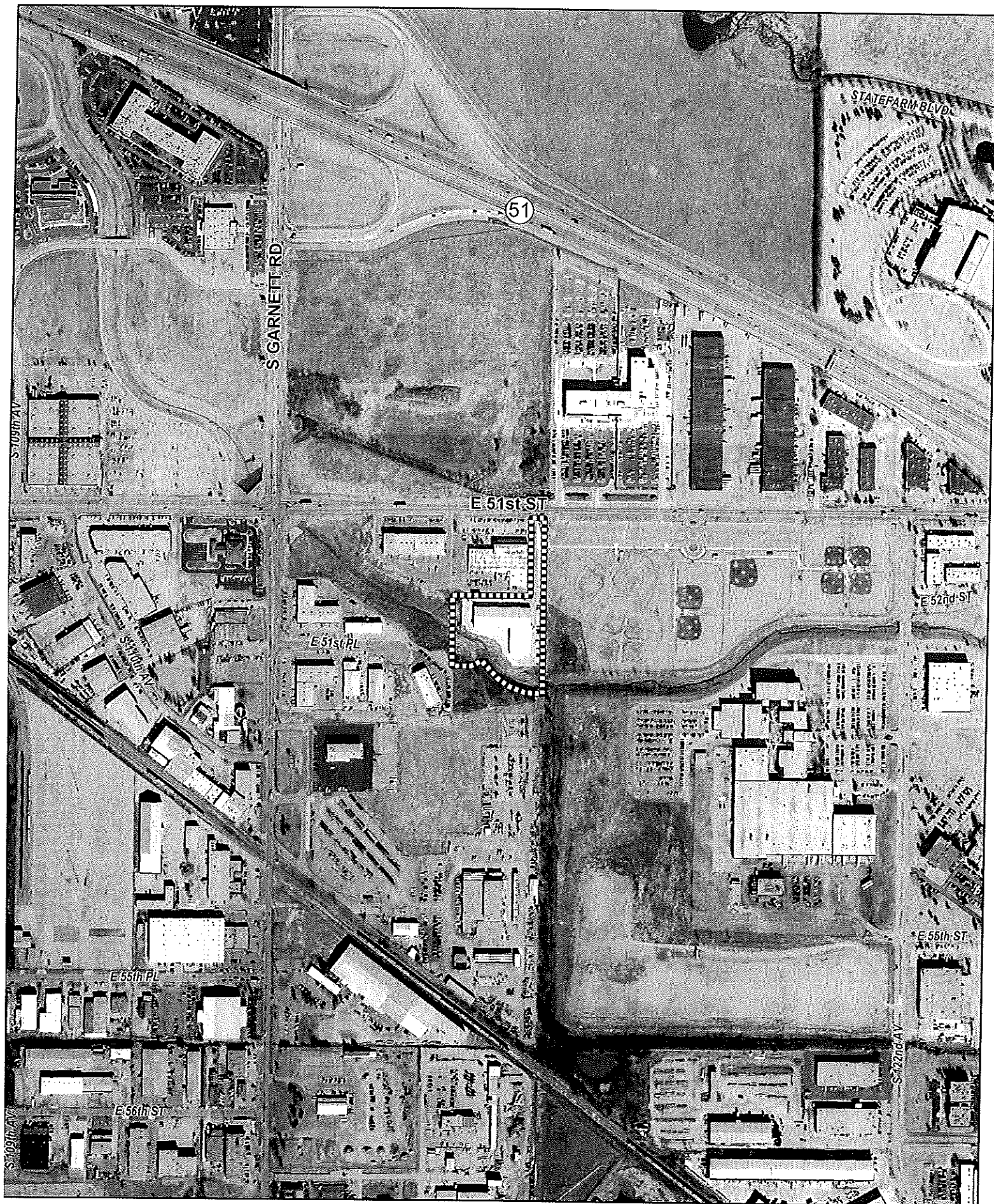




BOA-20605

19-14 32

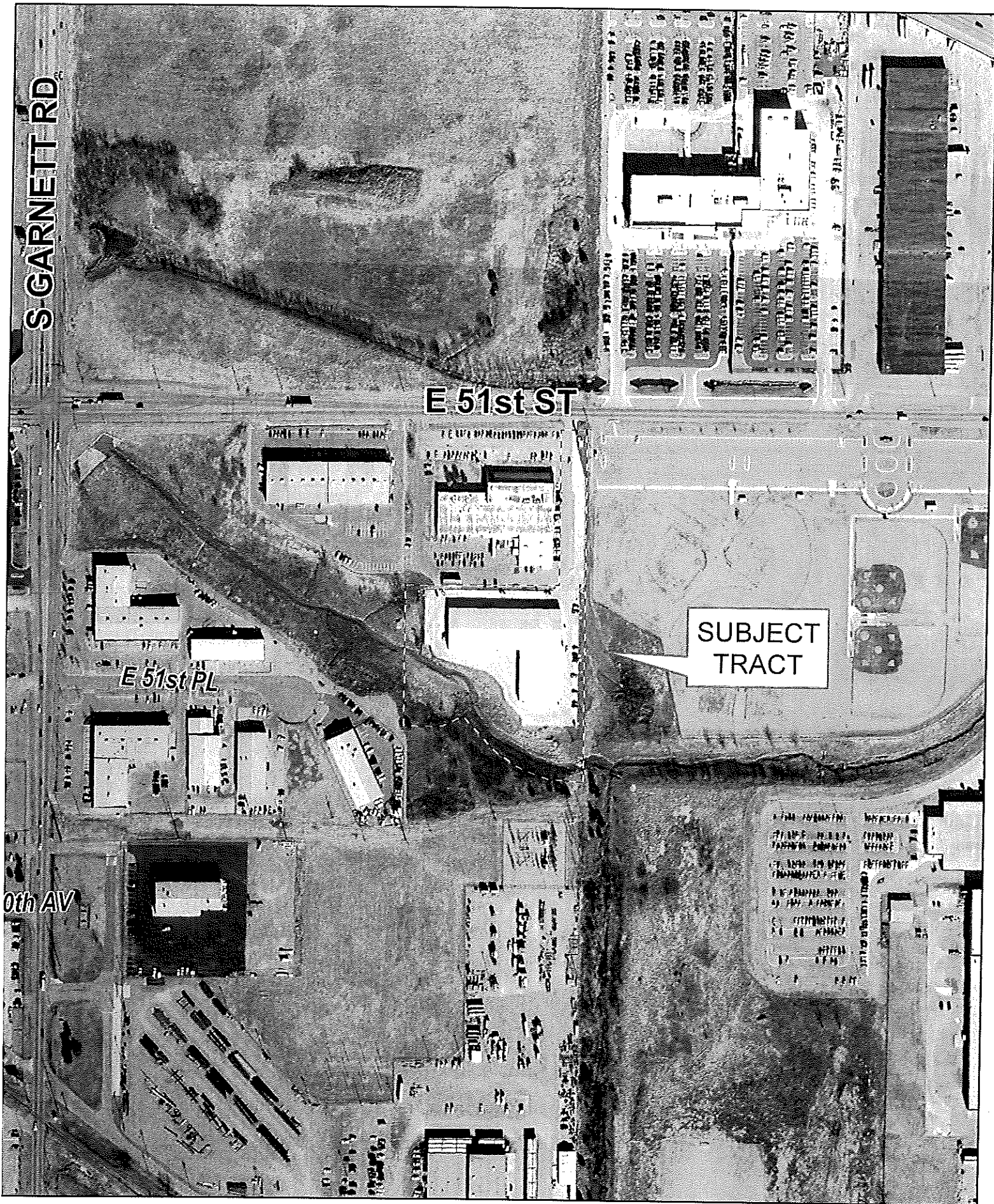




BOA-20605

19-14 32

5.2

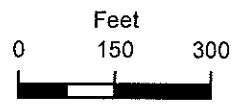


E 51st PL

E 51st ST

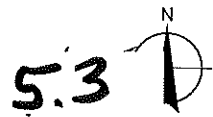
SUBJECT
TRACT

0th AV



BOA-20605

19-14 32



PLAT WAIVER

December 5, 2007

BOA 20605 - (9425) (PD 19) (CD 5)
11636 East 51st Street

The platting requirement is being triggered by Board of Adjustment case 20605 which requests that a church use be permitted in an IL zone.

Staff provides the following information from TAC at their November 15, 2007 meeting:

ZONING:

- TMAPC Staff: The Board of Adjustment approved case 20605 on November 27, 2007.

STREETS:

- The maximum width of the proposed driveway shall be 36 feet and located within the 40 foot platted access (west 40 feet of east 65th feet) or as shown in an approved change of access.

SEWER:

- No comments.

WATER:

No comments.

STORM DRAIN:

- Legal description does not match the dimensions on the existing site plan. The FEMA floodplain on this property must be placed in an Overland Drainage Easement. Construction will not be allowed in the floodplain without an approved "Conditional Letter of Map Revision."

FIRE:

- Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Exceptions: For buildings equipped throughout with an approved automatic sprinkler system the distance requirement shall be 600 feet. Provide proper fire hydrant coverage for this project.

UTILITIES:

- No comments.

Staff recommends **APPROVAL** of the plat waiver. The property has previously been platted.

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

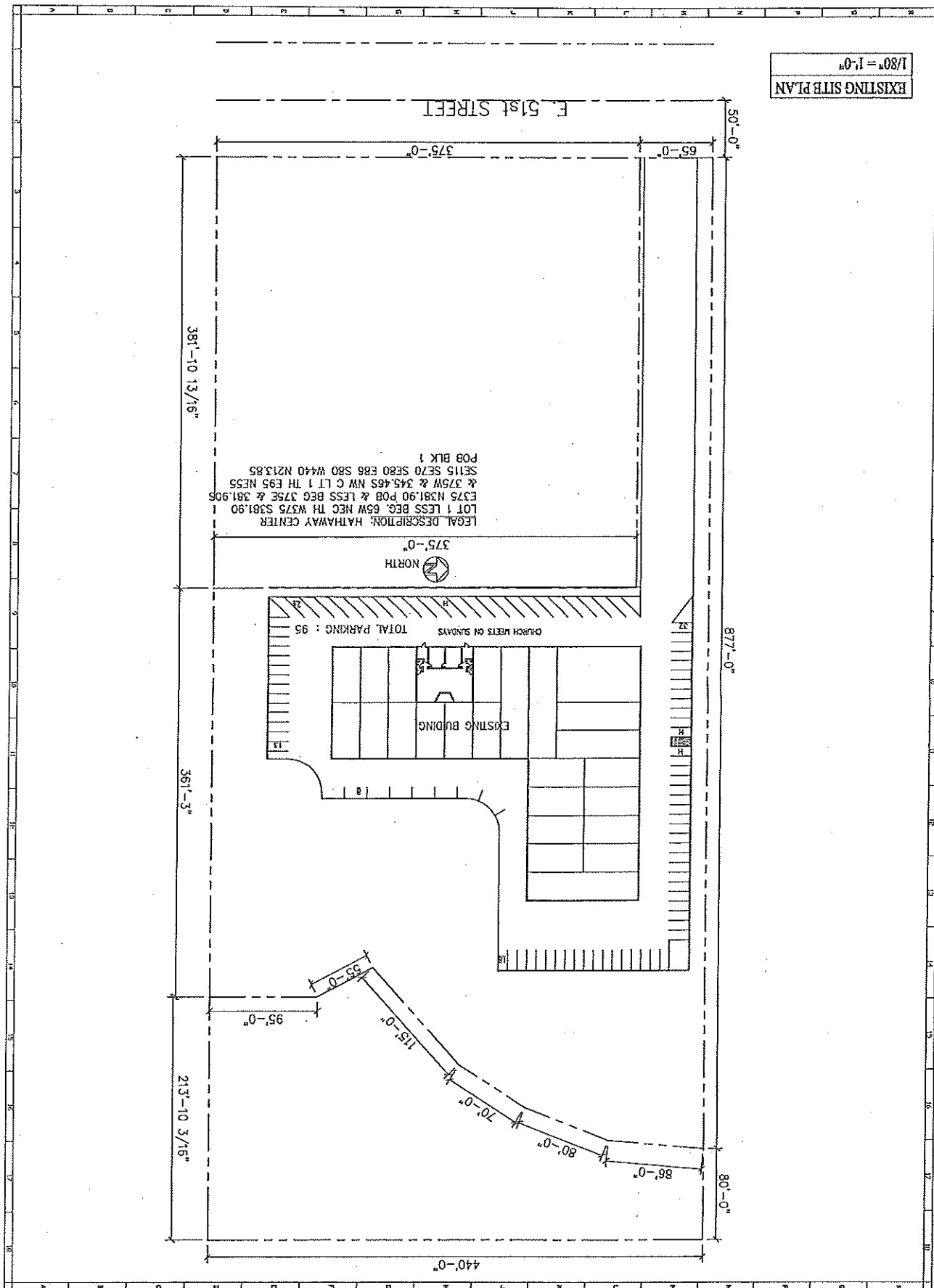
	Yes	NO
1. Has Property previously been platted?	X	
2. Are there restrictive covenants contained in a previously filed plat?	X	
3. Is property adequately described by surrounding platted properties or street right-of-way?	X	

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X
iv. Are additional easements required?		X
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		X
b) Does the property contain a F.E.M.A. (Federal) Floodplain?	X*	
8. Change of Access		
a) Are revisions to existing access locations necessary?		X
9. Is the property in a P.U.D.?		X
a) If yes, was plat recorded for the original P.U.D.		
10. Is this a Major Amendment to a P.U.D.?		X
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?		
11. Are mutual access easements needed to assure adequate access to the site?		X
12. Are there existing or planned medians near the site which would		X

necessitate additional right-of-way dedication or other special considerations?

*An overland drainage easement and letter of map revision for the floodplain will be needed before construction is permitted.



FEMI FASESIN, ARCHITECT
ARCHITECTURE & PLANNING

421 SOUTH OLYMPIA AVE., TULSA, OKLAHOMA 74127
PHONE: 918-555-2289 • FAX: 918-555-2289

REDEEMED CHRISTIAN CHURCH OF GOD

11636 11638 E. 51ST STREET

TULSA, Oklahoma
74146

5.7

DEED OF RESIGNATION

KNOW ALL MEN BY THESE PRESENTS, THAT CERTAIN SUBDIVISIONS & INSTRUMENTS, INC., a Oklahoma corporation [hereinafter referred to as "Subdivisions"], is the owner of the following described land, to-wit:

Tract No. 1, Section 32, Township 19-N, Range 14-E, containing 440 acres, more or less, situated in Tulsa County, Oklahoma, and being the same as the land described in the plat of "HATHAWAY CENTER", a subdivision in Tulsa County, Oklahoma, [hereinafter referred to as "Hathaway Center"].

SUBDIVISION

The undersigned hereby certifies that the said land, to-wit: the land described in the plat of "HATHAWAY CENTER", is the same as the land described in the plat of "HATHAWAY CENTER", a subdivision in Tulsa County, Oklahoma, and being the same as the land described in the plat of "HATHAWAY CENTER", a subdivision in Tulsa County, Oklahoma, [hereinafter referred to as "Hathaway Center"].

IN WITNESS WHEREOF, the undersigned, at Tulsa, Oklahoma, this 1st day of April, 1974, has hereunto set his hand and seal.

[Signature]
[Name]
[Title]

STATE OF OKLAHOMA
COUNTY OF TULSA
I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original instrument, and that the same is the same as the land described in the plat of "HATHAWAY CENTER", a subdivision in Tulsa County, Oklahoma, and being the same as the land described in the plat of "HATHAWAY CENTER", a subdivision in Tulsa County, Oklahoma, [hereinafter referred to as "Hathaway Center"].

Subscribed and sworn to before me this 1st day of April, 1974, at Tulsa, Oklahoma.

[Signature]
[Name]
[Title]

NOTARY PUBLIC
My Commission Expires [Date]

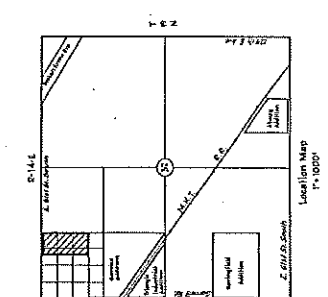
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TULSA COUNTY, OKLAHOMA
APR 1 1974

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TULSA COUNTY, OKLAHOMA
APR 1 1974

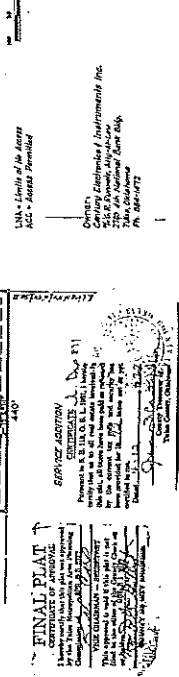
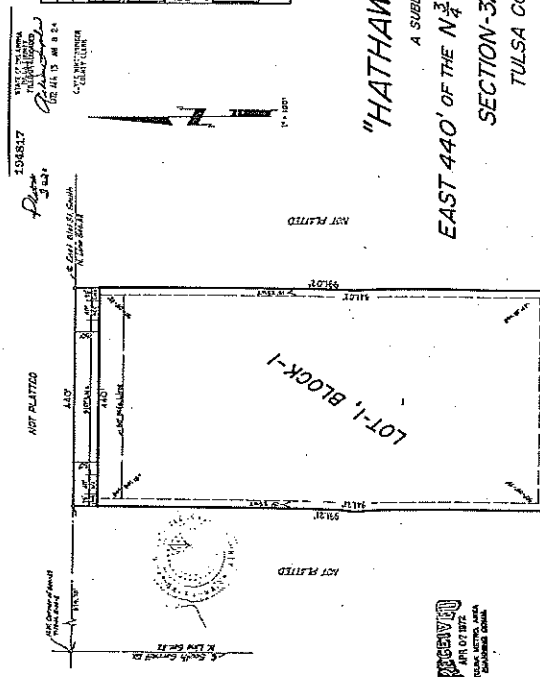
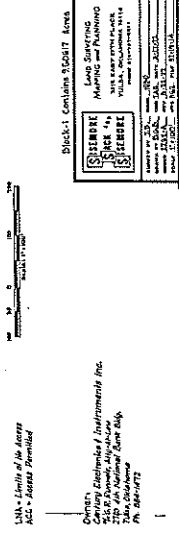
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APR 1 1974

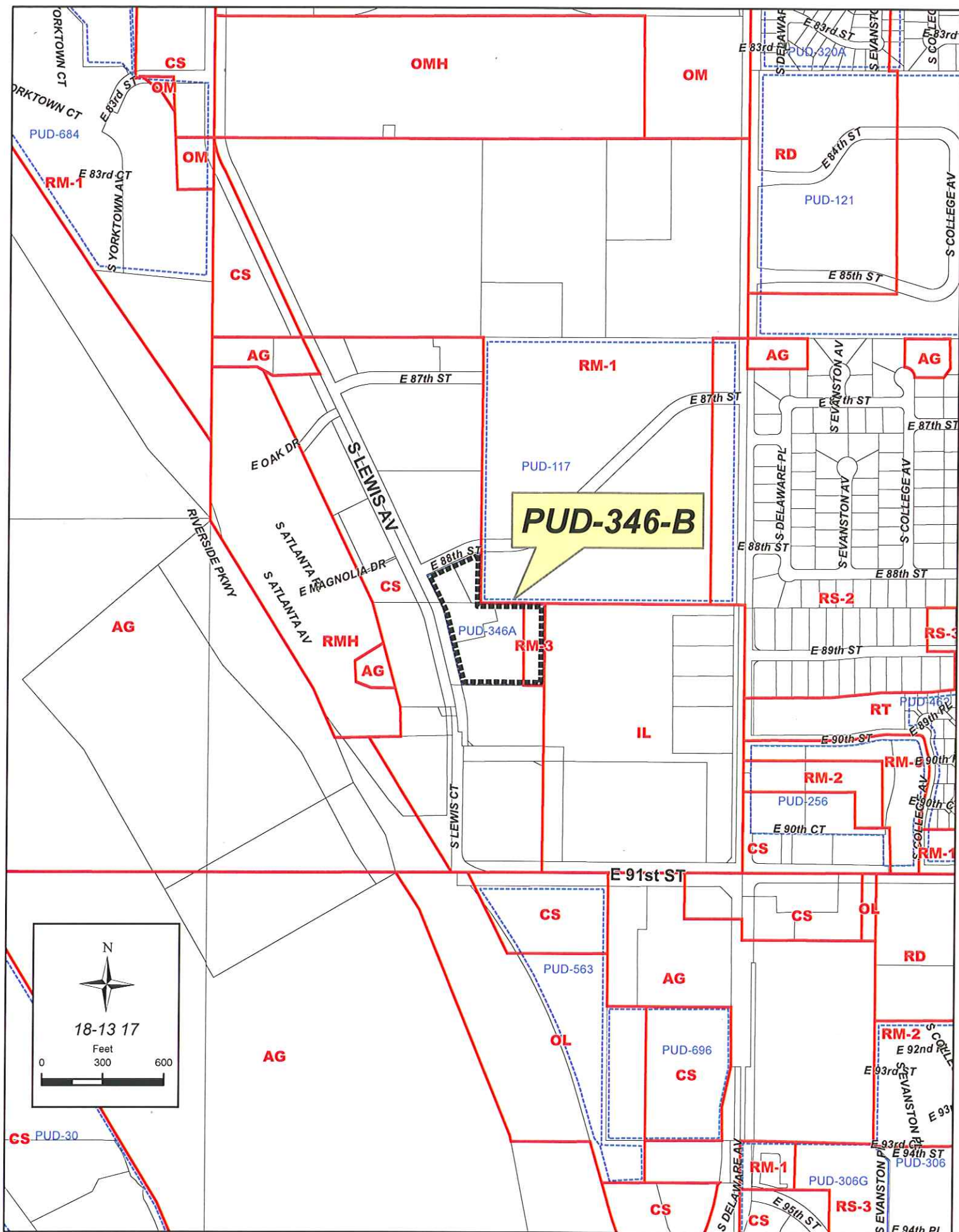
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TULSA COUNTY, OKLAHOMA
APR 1 1974

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TULSA COUNTY, OKLAHOMA
APR 1 1974



"HATHAWAY CENTER"
A SUBDIVISION OF THE
EAST 440' OF THE N $\frac{1}{2}$ OF THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$
SECTION-32, T-19-N, R-14-E
TULSA COUNTY, OKLAHOMA







N

PUD-346-B

18-13 17

Feet

0 150 300

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-346-B

TRS 8317

Atlas 1741

CZM 52

PD-18 CD-2

TMAPC Hearing Date: December 5, 2007

Applicant: DeShazo, Tang & Associates

Tract Size: 5.3± acres

ADDRESS/GENERAL LOCATION: Southeast corner of East 88th Street South and South Lewis Avenue

EXISTING ZONING: RM-3/CS/PUD-346

EXISTING USE: Elderly housing

ZONING ORDINANCE: Ordinance number 13106 dated March 18, 1974, and 19926 dated September 21, 2000, established zoning for the subject property.

PROPOSED ZONING: RM-3/CS/PUD-346-B

PROPOSED USE: Elderly housing and assisted living/Creating two Development areas within PUD

RELEVANT ZONING HISTORY:

Z-6782 September 2000: All concurred in approval of a request for rezoning a .92± acre tract of land from CS to RM-3 to allow for an increased permitted floor area within the major amendment PUD-346-A on property located southeast corner East 88th Street South and South Lewis Avenue.

PUD-346-A September 2000: All concurred in approval of a proposed Major Amendment to a Planned Unit Development on a 5.2± acre tract of land to add 1.38 acres on the north to the PUD for construction of an 84-unit assisted living and Alzheimer care facility on property located southeast corner East 88th Street South and South Lewis Avenue.

BOA-15665 February 1991: The Board of Adjustment approved a variance of the required number of parking spaces from 100 to 84 and a special exception to approve an amended site plan in order to clear title to the property and per plot plan submitted, subject to the complex being utilized as elderly housing only. The property is the southern 4.7 acres of the subject tract.

PUD-346 December 1983: All concurred in approval, per conditions, to develop the 4.7 acres of the subject property for an elderly housing facility. The approval included an accessory restaurant that would provide meals for the residents of the elderly apartment project.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 5.3± acres in size and is located southeast corner of East 88th Street South and South Lewis Avenue. The property has been developed as elderly housing and is zoned RM-3/CS/PUD.

6.4

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Lewis Avenue	Secondary Arterial	100	3
East 88 th Street South	Residential Collector	60	2

UTILITIES: The subject tract has municipal water and sewer available.

SURROUNDING AREA: The subject tract is abutted on the east by apartments, zoned RM-1 and Home Depot, zoned IL; on the north by retail uses, zoned CS; on the south by South Lewis Express Storage, zoned CS; and on the west by retail uses and a motel, zoned CS.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 18 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being medium intensity. According to the Zoning Matrix, the existing RM-3/CS/PUD zoning is found to be in accord with the Plan.

STAFF RECOMMENDATION:

PUD 346-A is a 5.3006 acre assisted living facility for the elderly located on the southeast corner of 88th Street South and South Lewis Avenue. An original 4.7 acre tract was approved in 1983 as PUD-346 allowing a 10-story, 171 unit elderly housing development with accessory uses including an activities building, amenities building and restaurant. The existing structure is actually a 10-story, 133 unit facility with an attached kitchen, dining room, and living room building. This development meets all applicable requirements of PUD 346. The existing facility is 38 units below the permitted number of units per development standards.

In 2000 PUD 346 was amended to PUD 346-A adding an additional 1.375 acres of platted property located immediately to the north of PUD-346 known as Lots 1 & 2, Block 5, Crown Imperial Addition. This amendment was to facilitate expansion of the facility to include an additional 84 unit assisted living facility. This proposal has never materialized.

PUD 346-B proposes to split the 1.375 acres added in the approval major amendment PUD 346-A, into two distinct development areas, Development Area A and B, to allow construction of a separate free-standing 88 unit Senior Assisted Living Facility, Use Unit 8, currently permitted per PUD-346-A.

The existing underlying zoning within PUD 346-A is RM-3, Residential Multifamily, and CS, Commercial Shopping Center District. The proposed Assisted Living Facility, Use Unit 8, is a permitted use by right in the RM-3 district and by special exception in the CS district. Because a PUD may include uses permitted by right or by special exception per underlying zoning, PUD 346-B has been filed to include the Assisted Living Facility use.

The PUD development standards for PUD 346-A and concept plan will remain intact as shown on attached applicant's concept plan Exhibit A with the exception that Lot 1, Block 1 Lewis Center East, and Lot 2, Block 5 of Crown Imperial Addition will be separated into a distinct Development Area B with a proposed 88 unit stand alone structure constructed on the north tract of the PUD as depicted on applicant's attached concept plan Exhibit B. The proposed structure will have two access points, one off Lewis Avenue and another off 88th Street South. A portion of the parking for the existing structure is located in the proposed Development Area. This split will not affect required parking within the existing Development Area which requires 67 parking spaces per the Zoning Code. There are 101 parking spaces provided for the existing structure.

Staff finds the overall development proposal to be consistent with the original intent of the PUD as the actual number of units upon completion of this proposal (221) will remain below the permitted number of units (255).

The entire PUD, comprised of Lots 1 and 2, Block 1 of Lewis Center East and Lots 1 and 2, Block 5 Crown Imperial Addition will be re-platted as a single subdivision with two lots.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD 346-B to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of PUD 346-B subject to the following conditions:

1. The applicant's Concept Development Plan and Text be made a condition of approval, unless modified herein.
2. Development Standards:

Development Area A:

EXISTING ZONING	RM-3/CS/PUD
LAND AREA (Gross)	3.740 Acres (162.925 sf)
LAND AREA (Net)	3.471 Acres (151,201 sf)
PERMITTED USES:	Assisted Living Facility with accessory uses per Use Unit 8, including an activities building, amenities building and restaurant.
Maximum Number of Dwelling Units	133
Maximum Building Floor Area Ratio	.5
Maximum Building Height	10-stories or 120'
Minimum Building Setbacks	
From Centerline of South Lewis Ave.	85'
From the South Boundary Development Area B	10'

6.4

From the South Boundary of PUD	80'
From the Eastern Boundary Development Area A	120'

Minimum Landscape Area and Screening	20% of net lot area, with a 6-foot screening wall or fence on North Boundary of Development Area A
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Parking Requirements	Per Zoning Code Standards (.5 spaces per dwelling unit)
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Signs	Per Zoning Code standards for Residential development
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Development Area B:

EXISTING ZONING	RM-3/CS/PUD
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LAND AREA (Gross)	2.435 Acres (106,073 sf)
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LAND AREA (Net)	1.830 Acres (79,695 sf)
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PERMITTED USES:	Assisted Living Facility/Alzheimer's Care Facility with accessory uses per Use Unit 8.
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Maximum Number of Dwelling Units	88
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Maximum Building Floor Area Ratio	.5
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Maximum Building Height	4-stories or 60'
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Minimum Building Setbacks

From Centerline of South Lewis Ave.	85'
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From Centerline of 88 th Street South.	45'
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From east lot line of Lot 1, Block 5, Crown Imperial Addition	80'
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From the south lot line of Lots 1 and 2, Block 5, Crown Imperial Addition	120'
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6.7

Minimum Landscape Area and Screening

20% of net lot area, with a 6-foot screening wall or fence on east Boundary of Development Area B

Parking Requirements

Per Zoning Code Standards (.5 spaces per dwelling unit)

Signs

Per Zoning Code standards for Residential development

3. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
4. A detail landscape plan for each development area shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences will be installed by a specific date in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.
5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
7. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
8. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
9. An owners association shall be created and vested with sufficient authority and financial resources to properly maintain all private streets and common areas, including any stormwater detention areas, security gates, guard houses or other commonly owned structures within the PUD.
10. All private roadways shall have a minimum right-of-way of 30' and be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be ten percent.

11. The City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets. The developer shall pay all inspection fees required by the City.
12. No building permit shall be issued until the requirements of Section 1107F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.
13. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
14. Entry gates or guardhouses, if proposed, must receive detail site plan approval from TMAPC, Traffic Engineering and Tulsa Fire Department, prior to issuance of a building permit for the gates or guard houses.
15. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
16. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

TAC Comments 11/15/07:

General: No comments.

Water: No comments.

Fire: No comments.

Stormwater: No comments.

Wastewater: The existing 10" sanitary sewer line located along the East property line of Lot 1, Block 5 Lewis Center East, appears to be too close to the western edge of the easement to allow for the existing 20' building line. If there is not adequate distance from the edge of the easement to the existing sewer line (5' is requested), then additional easement will be required.

Transportation: No comments.

Traffic: No comments.

GIS: No comments.

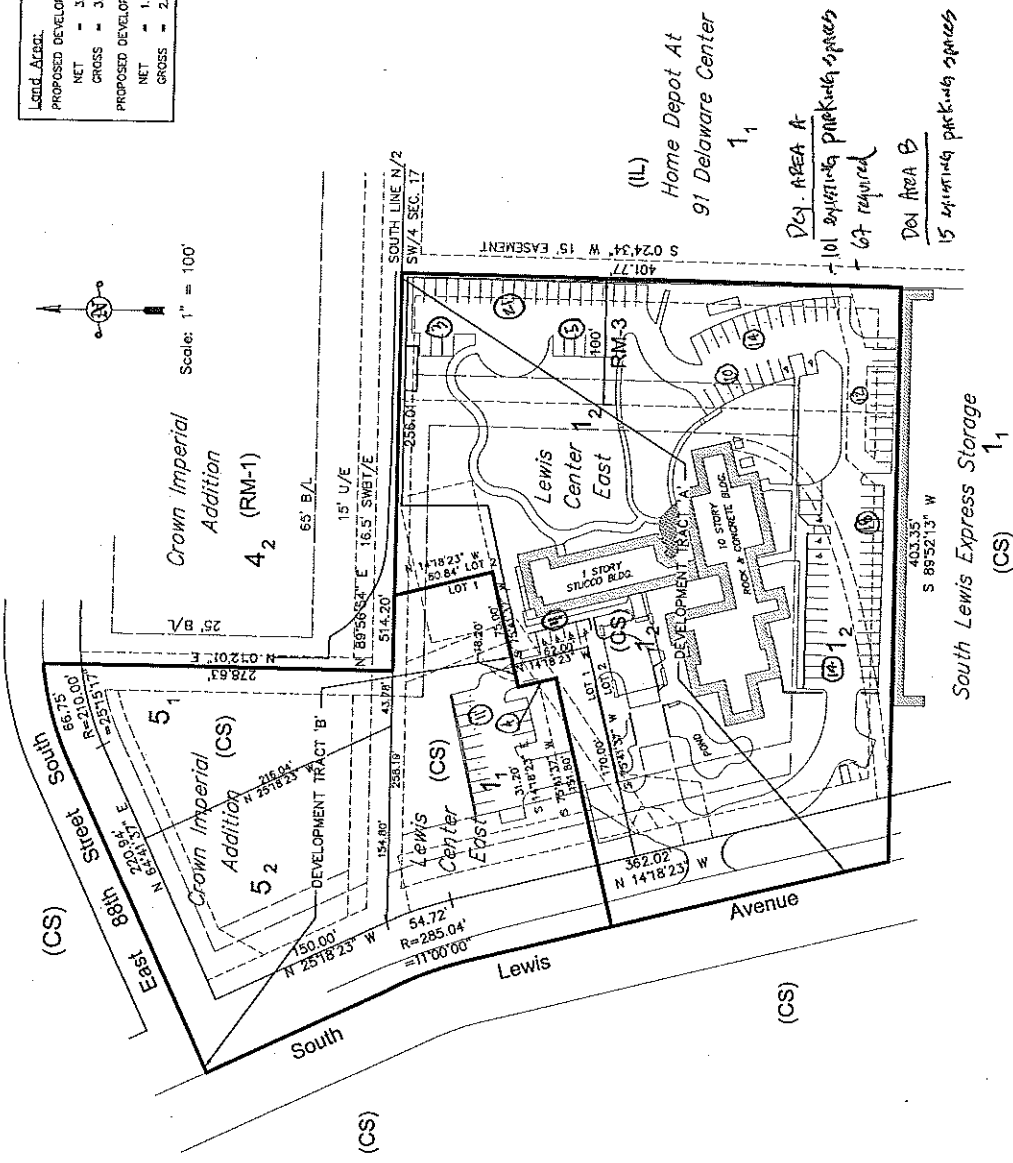
Street Addressing: No comments.

County Engineer: No comments.

12/05/07

6.9

Lot Area:	
PROPOSED DEVELOPMENT TRACT "A":	
NET	- 3,471 AC (151,201 SF)
GROSS	- 3,740 AC (162,922 SF)
PROPOSED DEVELOPMENT TRACT "B":	
NET	- 1,830 AC (79,895 SF)
GROSS	- 2,435 AC (106,073 SF)



- Legend**
- EXISTING EASEMENTS & BUILDING SETBACK LINES
 - SWB/E = SOUTHWESTERN BELL TELEPHONE EASEMENT
 - U/E = UTILITY EASEMENT
 - B/L = BUILDING SETBACK LINE

NOTES:

1. EXISTING BURGUNDY PLACE PROPERTY PRESENTLY CONTAINS APPROXIMATELY 6.175 (GROSS) ACRES OF LAND, IS ZONED RMD 346-A / CS / RM-3, AND CONTAIN ONE DEVELOPMENT AREA "A".
2. EXISTING ON-SITE BUILDINGS CONTAIN 133 ASSISTED-LIVING UNITS, KITCHEN & DINING AREAS, AND COMMON MEETING AREAS FOR RESIDENTS & GUESTS.

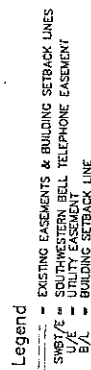
Burgundy Place Expansion Project **Existing Site Improvements & Proposed Development Tracts 'A' & 'B'**

DeShazo, Tang & Associates, Inc.

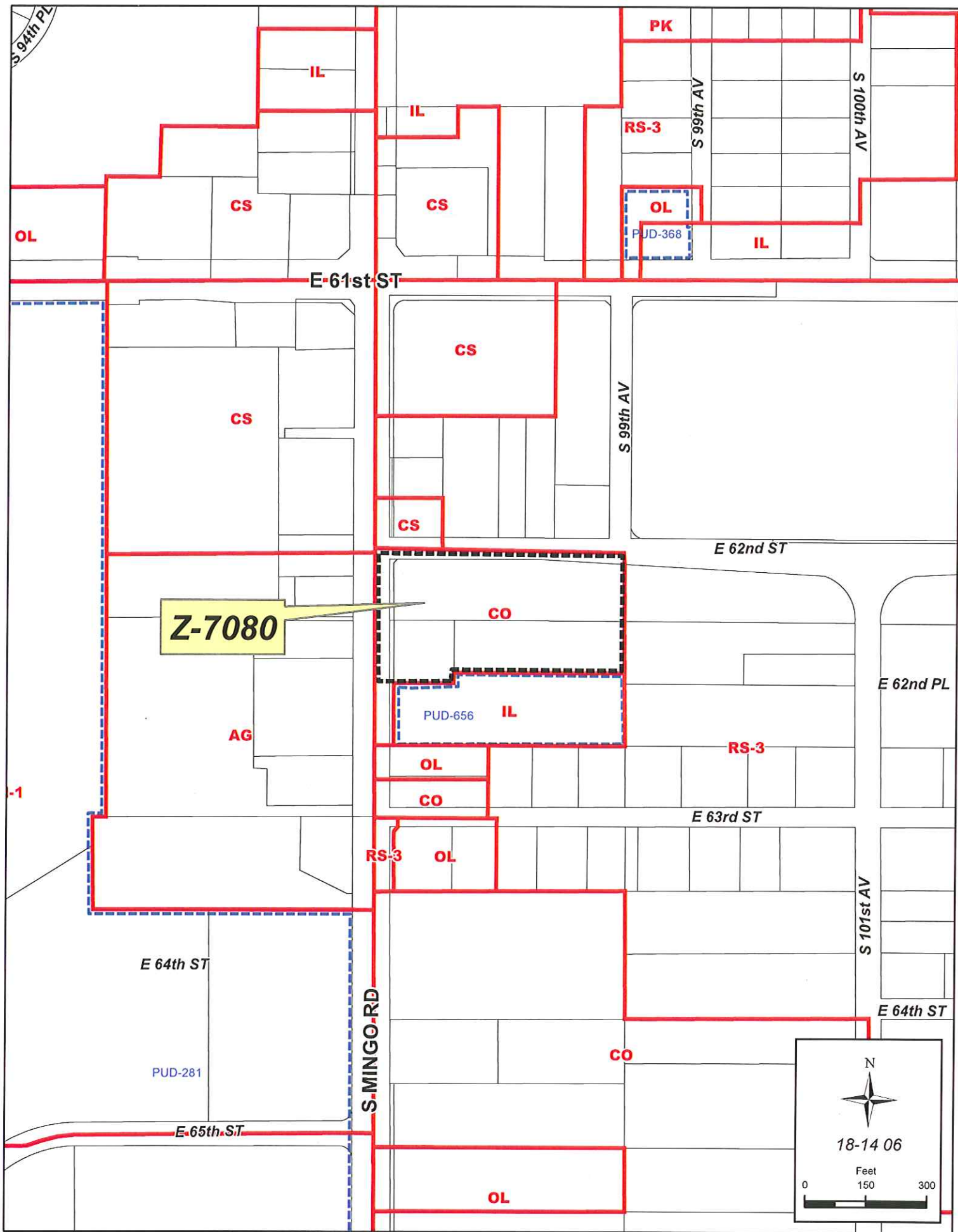
[illegible]

Proposed Site Plan

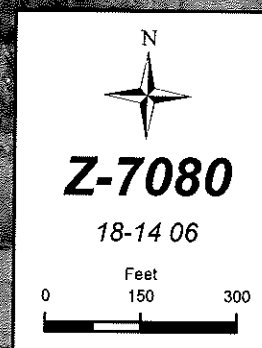
Exhibit "B"



6.11



7.1





7.3

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7080

TRS 8406

Atlas 758

CZM 54

PD-18b CD-6

TMAPC Hearing Date: December 5, 2007

Applicant: Charles E Norman

Tract Size: 4.7± acres

ADDRESS/GENERAL LOCATION: Southeast corner of East 62nd Street and South Mingo Road

EXISTING ZONING: CO

EXISTING USE: Vacant

ZONING ORDINANCE: Ordinance number 15995 dated April, 1970, established zoning for the subject property.

PROPOSED ZONING: OM

PROPOSED USE: Public school play fields

RELEVANT ZONING HISTORY:

Z-7035 September 2007: All concurred in approval of a request for rezoning a 2± acre tract of land from RS-3 to CS for retail sales, on property located south of southeast corner of South Mingo Road and East 61st Street South and abutting the subject property to the north across East 62nd Street.

Z-7061 August 2007: All concurred in approval of a request for rezoning a .87± acre tract of land from RS-3 to OL for office use, on property located on the southeast corner of East 63rd Street and South Mingo Road and south of subject property.

Z-6882 March 2003: All concurred in approval of a request for rezoning a 2.9± acre tract of land from OL to CO for church athletic fields, on property located south of southeast corner of East 63rd Street and South Mingo Road.

Z-5903-SP-4 March 2003: All concurred in approval of a proposed Corridor Site Plan on 6.3± acre tract for church athletic fields, on property located south of southeast corner of East 63rd Street and South Mingo Road.

Z-5903-SP-3 November 2002: All concurred in approval of a proposed Corridor Site Plan on 1.1± acre tract for a two-story office building, on property located southeast of southeast corner of East 63rd Street and South Mingo Road.

Z-6840/PUD-656 November 2001: A request to rezone a 2.37± acre tract from CO to IL/PUD on property located south of southeast corner of East 61st Street South and South Mingo Road and abutting south of subject property, for uses permitted by right and exception in an IL district excluding Use Unit 12A. Staff recommended denial of IL zoning and for the PUD but the TMAPC recommended approval per modifications. The City Council approved the rezoning and PUD per modifications.

7.4

Z-5908-SP-1 February 1989: All concurred in approval of a request for rezoning a 3.24+ acre tract of land for a softball and baseball hitting arena and building for video games, concessions, control area for batting machines and restrooms with conditions that no lights shall be placed in the north 150' of the east 200' and all lights in east half of property shall be turned off by 11pm; limit to one-story height of any structure; and no gravel for parking area on property located on the southeast corner of East 62nd Street South and South Mingo Road and a part of the subject property.

Z-5903-SP-2 April 1995: All concurred in approval of a proposed Corridor Site Plan on 6.3+ acre tract for Miller Swim School, on property located south of southeast corner of East 63rd Street and South Mingo Road and abutting the subject property to the south.

Z-5903-SP-1 April 1995: All concurred in approval of a proposed Corridor Site Plan on 3.25+ acre tract for indoor and outdoor skating rinks, on property located south of southeast corner of East 63rd Street and South Mingo Road and abutting the subject property to the south.

Z-6254/Z-6254-SP-1 September 1989: All concurred in approval of rezoning a .4-acre lot located on the northeast corner of East 63rd Street South and South Mingo Road from RS-3 to CO and approval was also granted on a detail corridor site plan, Z-6254-SP-1 on the property for a small appliance business in the existing building.

Z-5950/PUD-368 June 1986: A request to rezone a 1+ acre lot from OL to IL and a Planned Unit Development on property located on the northwest corner of East 61st Street and South 99th Avenue East and abutting the subject property to the east, was approved with an OL buffer to the west, north and east. The PUD approved Use Units 11, 12, 13 and 14 and excluding specific uses within.

Z-6044 June 1985: All concurred in approval a request for rezoning a .6+ acre tract of land from RS-3 to CO for mixed use on property located south of southeast corner of South Mingo Road and East 62nd Street South and a part of the subject property. No corridor site plan was ever approved for the property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 4.7+ acres in size and is located southeast corner of East 62nd Street and South Mingo Road. The property appears to be vacant and is zoned CO.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Mingo Road	Secondary arterial	100'	Five (center turning lane)
East 62 nd Street	N/A	N/A	Two

UTILITIES: The subject tract has municipal water and sewer available.

SURROUNDING AREA: The subject tract is abutted on the east by vacant land, zoned RS-3; on the north by vacant and large-lot single-family residential uses, zoned RS-3; farther to the northeast by Union School property, zoned RS-3; on the south by an industrial use, zoned IL/PUD-656; and on the west by a large-lot single-family use, zoned AG and CS. The subject property is in the old Union community, which has been undergoing transition for some time. The single-family residence to the west across Mingo is currently for sale.

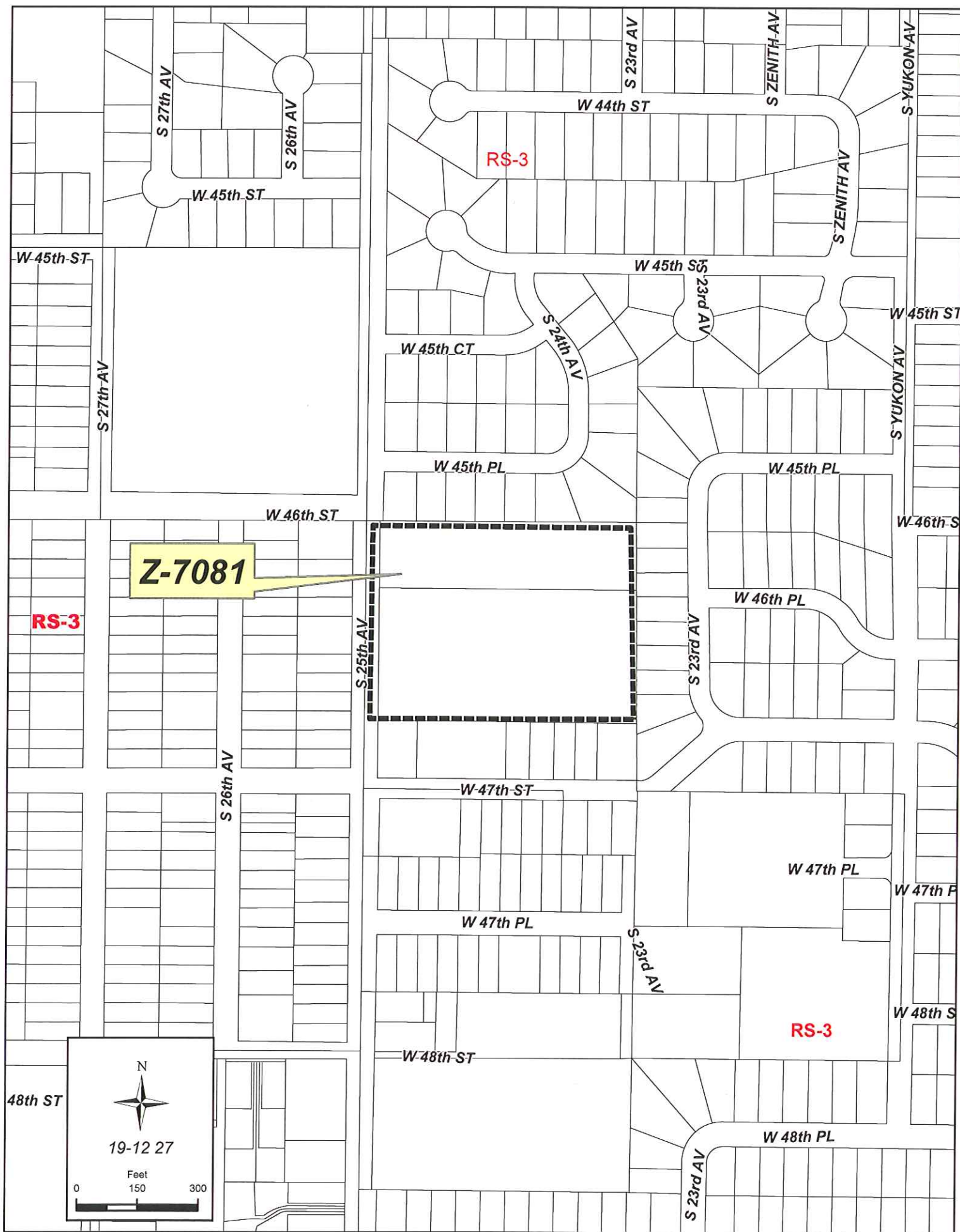
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 18b Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Corridor-Low Intensity. TMAPC policies have been that developments at a Medium Intensity category (as OM is) are allowable under a CO zoning. However, if the proposed rezoning **from** CO is not permitted by the land use intensity, then it is not in accord with the Plan. According to the Zoning Matrix, the requested OM zoning **is not** in accord with the Plan.

STAFF RECOMMENDATION:

Staff cannot support the requested OM zoning, based on the District 18 Detail Plan and therefore recommends **DENIAL** of OM zoning. However staff could support a rezoning to OL, based on the same Plan and therefore recommends **APPROVAL** of OL zoning in the alternative.

12/05/07





N

Z-7081

19-12 27

Feet

0 150 300



**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7081

TRS 9227

Atlas 395

CZM 46

PD-9 CD-2

TMAPC Hearing Date: December 5, 2007

Applicant: Augustus C. Oliver, Jr.

Tract Size: 7.26± acres

ADDRESS/GENERAL LOCATION: South of southeast corner of South 25th West Avenue and West 45th Place

EXISTING ZONING: RS-3

EXISTING USE: Residential/agriculture

ZONING ORDINANCE: Ordinance number 11822 dated June 26, 1970, established zoning for the subject property.

PROPOSED ZONING: RS-4

PROPOSED USE: Residential development

RELEVANT ZONING HISTORY:

There is no recent zoning history.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 7.26± acres in size and is located south of southeast corner of South 25th West Avenue and West 45th Place. The property appears to be in single-family residential and agricultural use, heavily wooded, appears to have some significant topographical challenges and is zoned RS-3.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South 25 th West Avenue	N/A	N/A	Two

UTILITIES: The subject tract has municipal water and sewer available.

SURROUNDING AREA: The subject tract is abutted on all sides by single-family residential uses, zoned RS-3. To the northwest is St. Catherine's School and Church, zoned RS-3.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 9 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Low Intensity-Residential land use. According to the Zoning Matrix, the requested RS-4 zoning is in accord with the Plan.

8.4

STAFF RECOMMENDATION:

Although the requested RS-4 zoning is in accord with the District Plan, the property is surrounded by RS-3 zoned properties that have been developed at that density or lower. To rezone this to a greater density would be a clear case of spot zoning. Spot zoning is an intensification of zoning in the midst of lower intensities or densities, away from perimeter arterials. Ideally, higher intensities/densities are located near the streets that are designed to accommodate higher traffic (although in this case, the density will be only marginally higher than for RS-3) and staff cannot support that. Staff therefore recommends **DENIAL** of RS-4 zoning for Z-7081. However, if the applicant should choose to submit a PUD application along with this rezoning request, staff would encourage that.

12/05/07

RECEIVED
NOV 26 2007
BY:

VIOLA V. MELTON
2408 W. 45TH ST.
TULSA, OK. 74107-6753
LOT: 21, BLOCK 4 IN SHERWOOD FOREST
ADDITION

TO: TULSA METROPOLITAN PLANNING COMM.
CASE # Z-7081

RE: LETTER DDT 11-13-07 - AMENDMENT TO ZONING -
FROM: RS-3 TO RS-4

TO: WHO IT MAY CONCERN

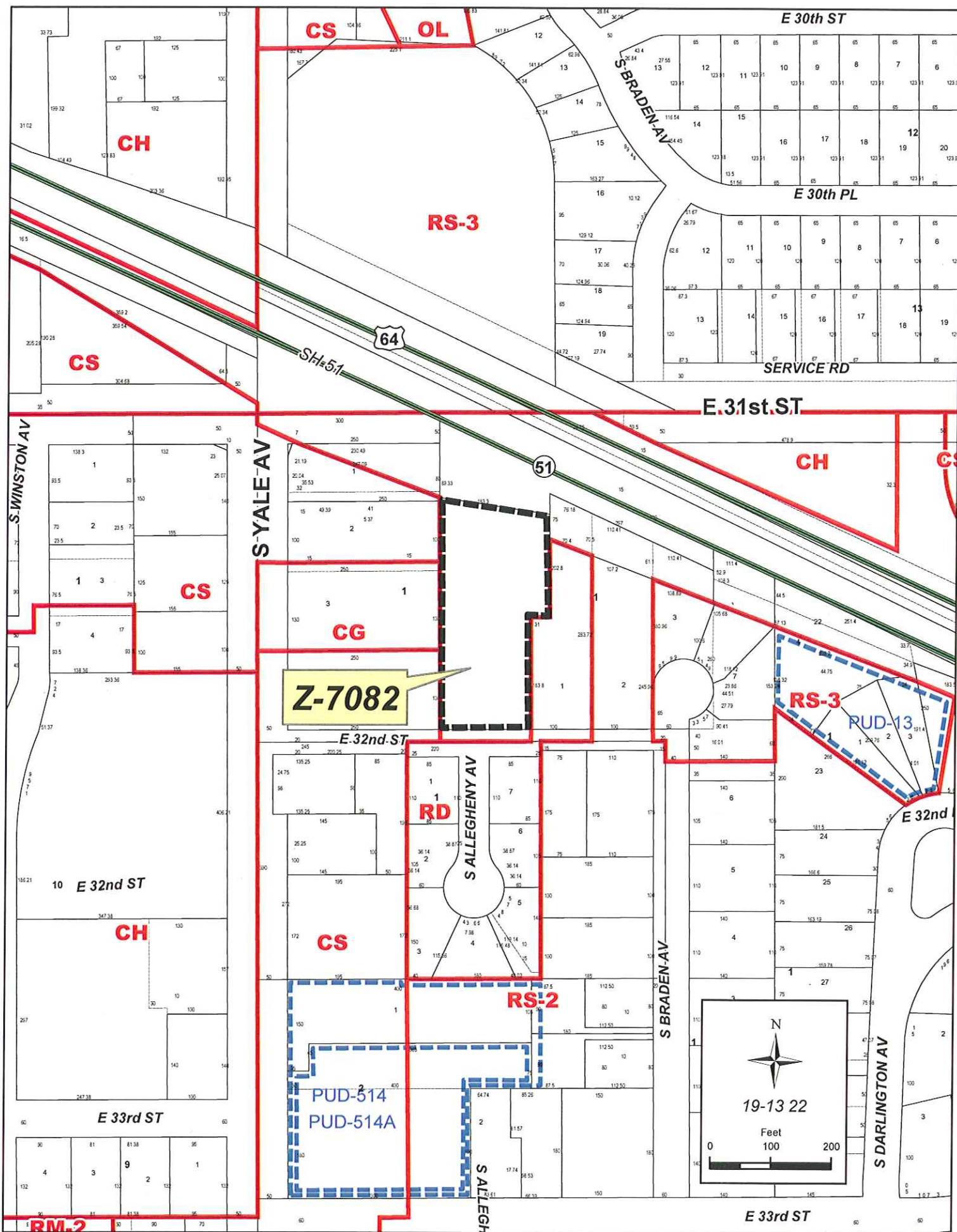
I AM AGAINST THIS BECAUSE - I HAVE LIVED
HERE SINCE - 12-59 (42 YRS) IN A VERY NICE
NEIGHBOR HOOD - QUITE & PIECEFUL, WITH ALL
PROPERTIES TO THE E^{AST}, W^{EST}, N^{ORTH}, & S^{OUTH}. FOR SEVERAL
BLOCKS WITH A "RS-3" RATING.

WHY AFTER ALL THESE YEARS, SHOULD
SOME ONE BE ALLOWED TO COME IN
AND CHANGE ZONING - RIGHT IN THE
MIDDLE OF THIS PROPERTY TO RS-4,
IF HE SHOULD BUILD THE 30 HOUSES, HE
IS SAYING HE IS GOING TO BUILD, IN
THAT SMALL PARCEL, THEY WOULD HAVE
TO BE MUCH SMALLER HOUSES & LOTS,
THIS WOULD BRING DOWN THE VALUE OF
THESE PROPERTIES WHERE I LIVE.

PLEASE DO NOT ALLOW THIS TO GO TO A
LOWER ZONING RS-4.

SORRY I CAN'T BE THERE IN PERSON, I AM
83 YRS OLD & IN POOR HEALTH.

Thanks 11-24-07
Viola V. Melton





E 30th ST

S BRADEN AV

N

Z-7082

19-13 22

Feet
0 100 200

SH 51

64

SERVICE RD

E 31st ST

51

S WINSTON AV



E 32nd ST

S ALLEGHENY AV

E 32nd

E 32nd ST

SYALE AV

S BRADEN AV

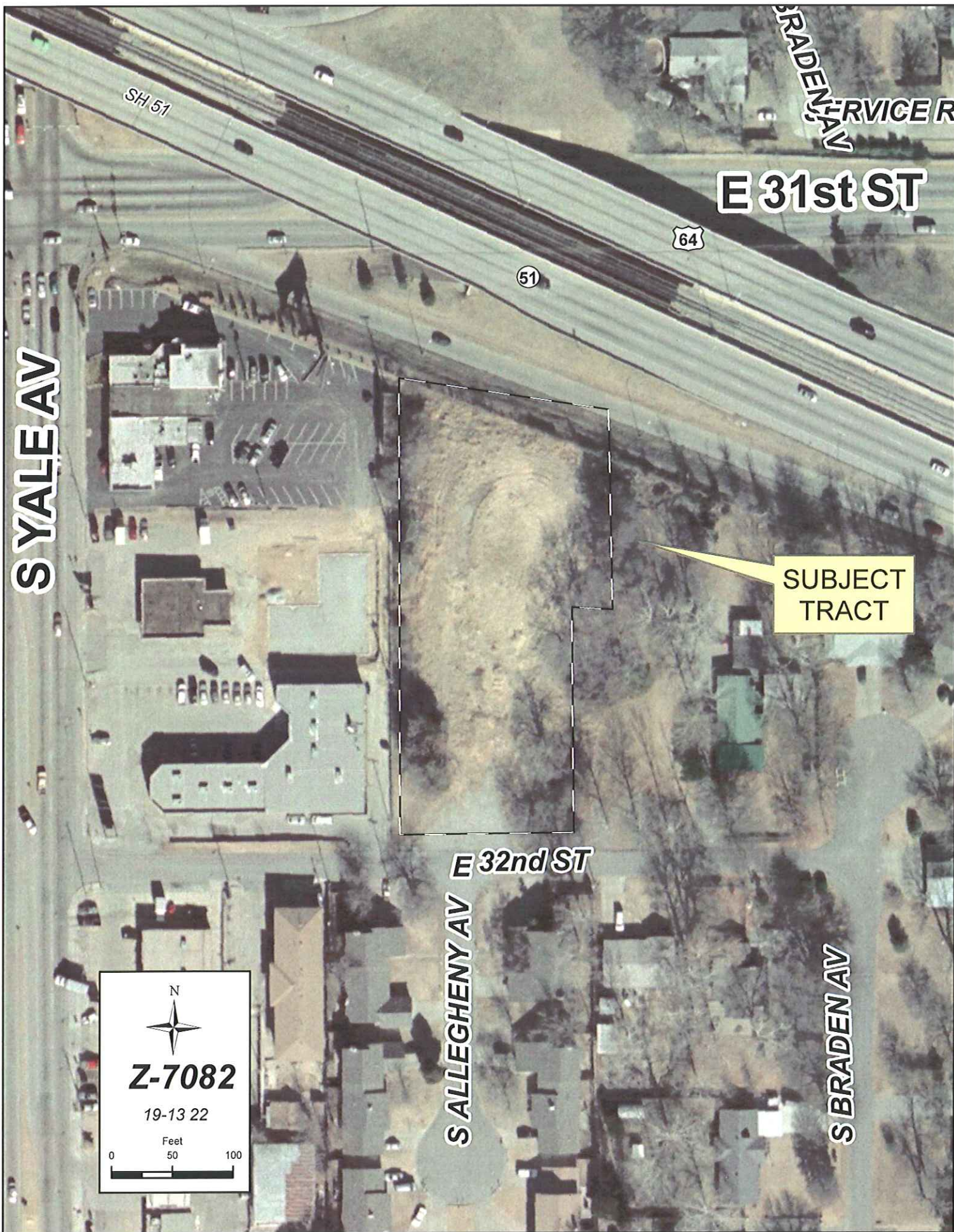
S DARLINGTON AV

E 33rd ST

S ALLEGHENY AV

E 33rd ST

9.2



S YALE AV

SH 51

E 31st ST

64

51

SUBJECT
TRACT

E 32nd ST

S ALLEGHENY AV

S BRADEN AV

N

Z-7082

19-13 22

Feet
0 50 100

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7082

TRS 9322

Atlas 182

CZM 48

PD-18b CD-5

TMAPC Hearing Date: December 5, 2007

Applicant: Don R. Loyd

Tract Size: 1.31± acres

ADDRESS/GENERAL LOCATION: East of northeast corner of South Yale Avenue and East 32nd Street South

EXISTING ZONING: RS-2

EXISTING USE: Vacant

ZONING ORDINANCE: Ordinance number 11824, dated June 26, 1970, established zoning for the subject property.

PROPOSED ZONING: CG

PROPOSED USE: Mini-storage

RELEVANT ZONING HISTORY:

PUD-514-A November 2006: All concurred in approval of a proposed Major Amendment to a Planned Unit Development to permit a communications tower (Use Unit 4) on a 1.88± acre tract of land on property located on the northeast corner of East 33rd Street and South Yale Avenue.

PUD-514 September 1994: All concurred in approval of a 3.5± acre tract for a PUD to expand the existing Saied Music store and to provide sufficient parking thereof and a possible expansion of the vacant restaurant building if converted to retail uses on property located on the northeast corner of East 33rd Street and South Yale Avenue.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.31± acres in size and is located east of northeast corner of South Yale Avenue and East 32nd Street South. The property appears to be vacant and is zoned RS-2. The site has no frontage on an arterial street, as is required by the Zoning Code, but does have access to Yale Avenue (a major arterial) from East 32nd Street.

STREETS:

Exist. Access

East 32nd Street South

MSHP Design

N/A

MSHP R/W

N/A

Exist. # Lanes

Two

UTILITIES: The subject tract has municipal water and sewer available.

9.4

SURROUNDING AREA: The subject tract is abutted on the east by duplexes, zoned RD; on the north by the expressway, zoned RS-3; on the south by duplexes, zoned RD; and on the west by the commercial frontage on the east side of Yale Avenue, zoned CG and CS.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 18b Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Low Intensity-Residential land use. According to the Zoning Matrix, the requested CG zoning is **not** in accord with the Plan.

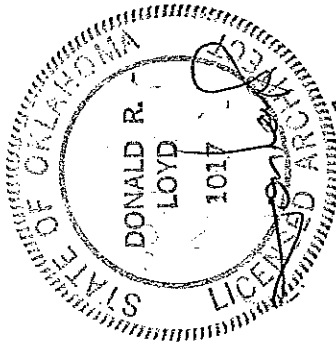
STAFF RECOMMENDATION:

Staff has identified both positive and negative points about this rezoning request. Although the requested zoning is not in accord with the District Plan, surrounding land uses (an expressway, duplexes and commercial uses) dictate that this property will likely not be developed as single-family residential use. The mini storage use is relatively low-intensity in terms of traffic and noise generation and has provided a good buffer in the past between residential and higher intensity uses. If mini storage abuts an R district, it must be screened on that side by a screening wall or fence, which would mean the north, east and south sides, in this case. Staff has some problems with the requested CG zoning, however, and the lack of frontage on an arterial street. CS zoning, unlike CG zoning, allows no outdoor storage of any kind adjacent to R districts, and that would alleviate some of staff's concerns. The lack of frontage on an arterial remains a problem. Therefore, staff cannot support either CG zoning or CS in the alternative, absent an accompanying PUD.

Staff believes that a PUD application here would offer protection to the surrounding residential uses. Issues that we expect the PUD to address in terms of that protection include signage, amount and location of lighting, hours of operation and screening materials, among other things. If the TMAPC deems it appropriate to recommend CG zoning, then staff recommends that the issue of outdoor storage also be addressed.

To reiterate, staff believes that this is a reasonable use for this site, but with the proper safeguards for what appears to be a stable residential area on two sides. With adequate controls, the mini storage use can be a buffer to that neighborhood against the commercial to the west.

12/05/07



DON R. LOYD
ARCHITECT
8121 S 29TH W AVE
TULSA, OK 74132
PH-704-0767
FX-254-0838
SEPTEMBER 24, 2007

SITE PLAN



ZONE RD

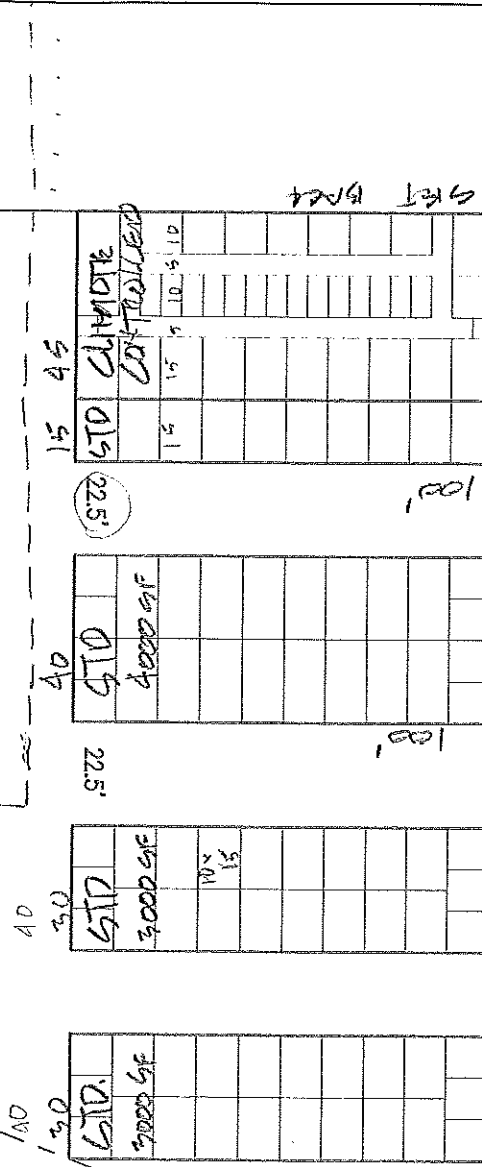
EXISTING ZONE RS2.
REQUESTED REZONE
TO CG.

75'
BROKEN ARROW
EXPRESSWAY

127.7'

31.00'

183.8'



183.3'

150.00'

EAST 32th STREET

ZONE RD

380.8'

ZONE CS

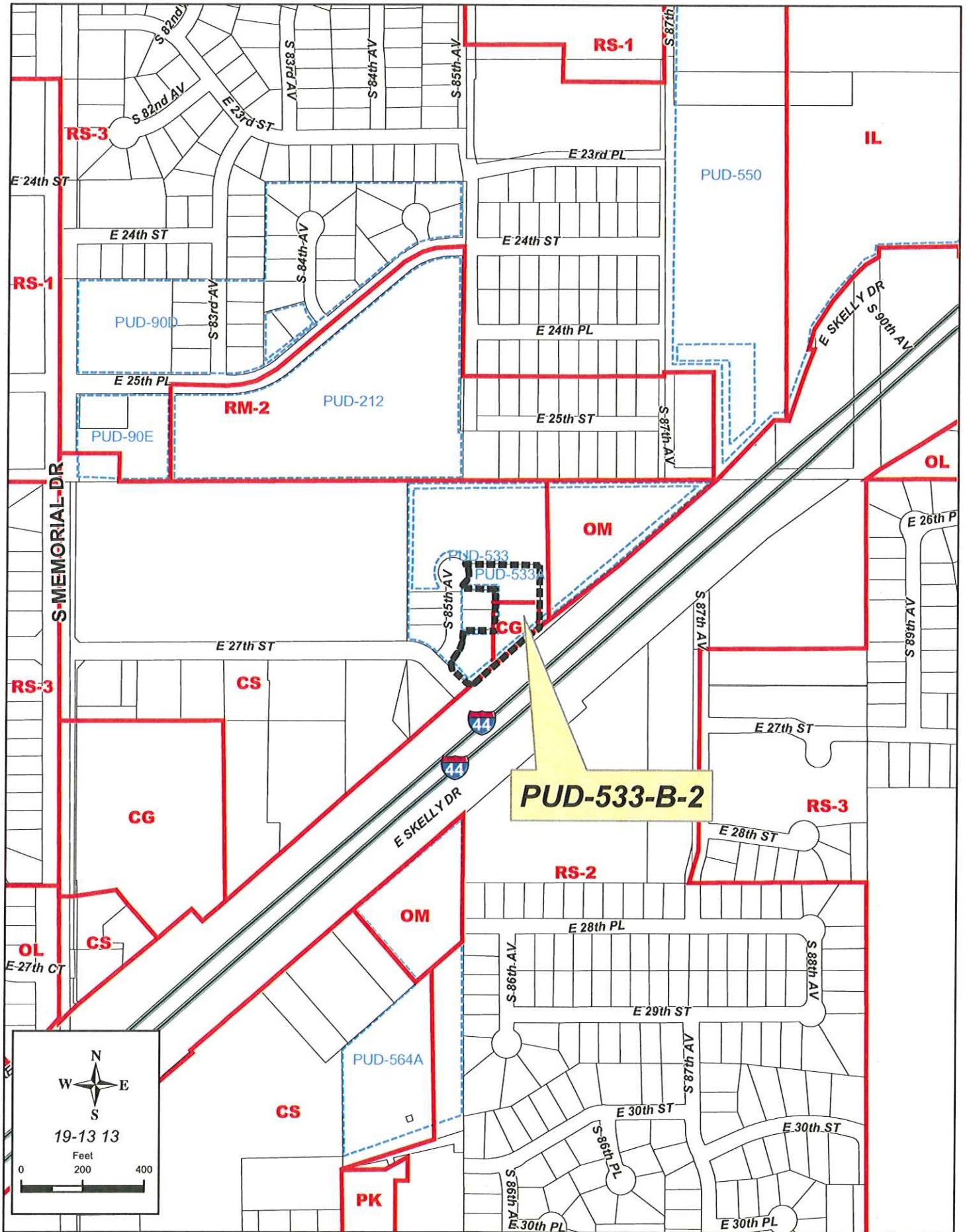
ZONE CG

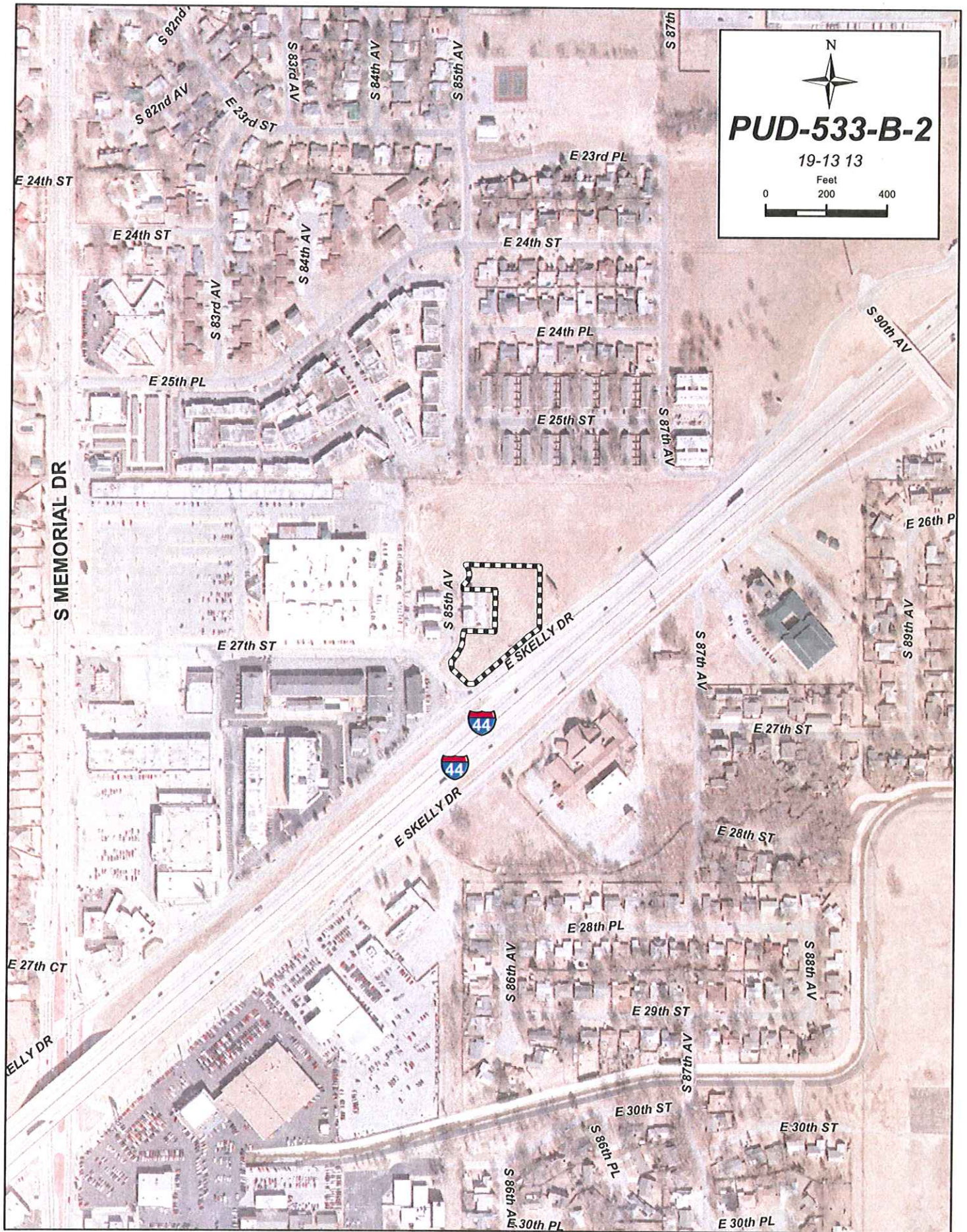
ZONE CG

STORAGE
SITE
TULSA, OKLA.

101

4.6





December 5, 2007

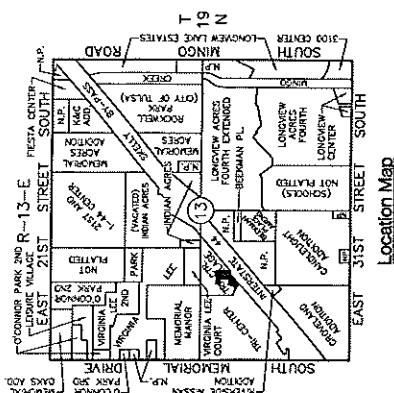
STAFF RECOMMENDATION

PUD 533-B-2: Minor Amendment – Northeast corner of 27th Street South and Skelly Drive (I-44) service road; Lot 1, Block 1, Grizzly Mountain Mercantile; CG/CS/PUD.

The applicant is requesting approval of a minor amendment to allow a lot-split creating two tracts in Lot 1 Block 1 Grizzly Mountain Mercantile, Development Area "B-1" of PUD 533-B. Development Area "B-1" currently contains 1.55 acres and has been approved for 12,000 square feet of furniture manufacturing and sales. The entire 1.55 acres was approved for the current use.

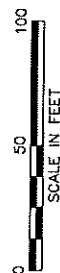
The proposed lot-split would create Tract A, 1.17 acres with the present 12,000 square foot building, parking and landscaping and Tract B, 0.37 acres with only landscaping and no building square footage or use other than the approved landscaping. The staff cannot support this request creating a lot with no development rights separating it from an approved site and landscape plan.

Therefore, staff recommends **DENIAL** of PUD-533-B-2 for the stated reasons.



Location Map

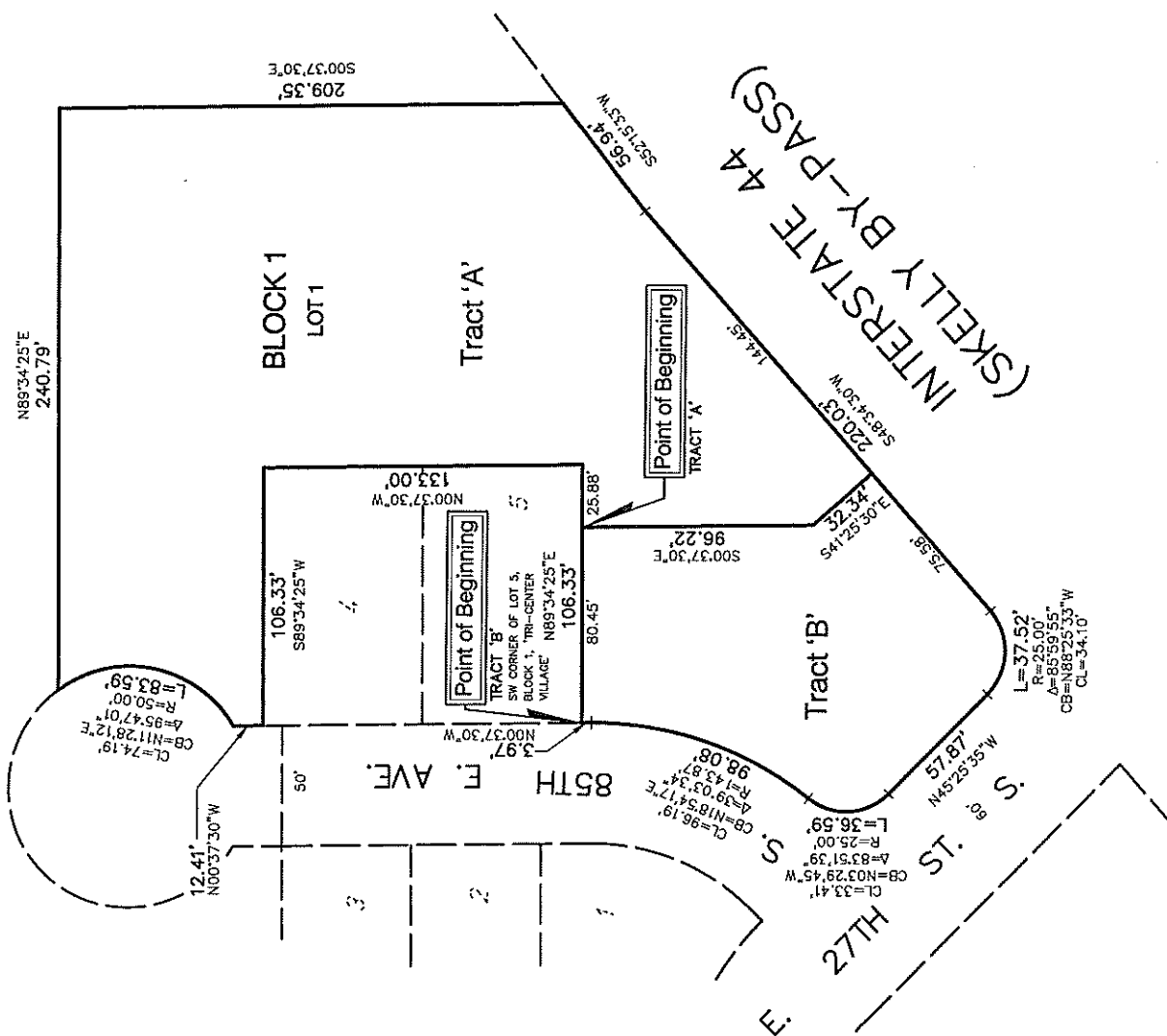
Minor Amendment Exhibit for Planned Unit Development Number 533-B



SACK AND ASSOCIATES, INC.
 Suite 100, 111 South Elgin Avenue, Suite 100, Anaheim, CA 92805
 Phone: (714) 771-1111, Fax: (714) 771-1112
 Project: TR-CDOT-100 VILLAGE-3
 Drawing: 100-100-100
 Order: 100-100-100
 Date: 10/13/10
 Drawn: C

Project: TR-CDOT-100 VILLAGE-3
 Drawing: 100-100-100
 Order: 100-100-100
 Date: 10/13/10
 Drawn: C

11.4



NORMAN WOHLGEMUTH CHANDLER & DOWDELL

ATTORNEYS AT LAW

2900 MID-CONTINENT TOWER

401 S. BOSTON AVENUE

TULSA, OKLAHOMA 74103-4065

TELEPHONE (918) 583-7571

FAX (918) 584-7846

CHARLES E. NORMAN
JOEL L. WOHLGEMUTH
R. JAY CHANDLER
JOHN E. DOWDELL
THOMAS M. LADNER
WILLIAM W. O'CONNOR
ROGER K. ELDREDGE
CHRISTINE D. LITTLE
ANGELA FREEMAN PORTER

DAVID R. ROSS
JO LYNN JETER
ADRIENNE B. ROBERTSON
STEVEN M. RUBY
BRIANA J. ROSS
TERESA S. NOWLIN

November 7, 2007

www.nwcdlaw.com

e-mail rke@nwcdlaw.com

hand-delivered

Ms. Diane Fernandez
Tulsa Metropolitan Area Planning Commission
201 West Fifth Street, Sixth Floor
Tulsa, OK 74103

re: Southern Woods Park III

Dear Diane:

In connection with the sale of the office buildings constructed on Lots One (1) and Two (2), Block One (1) of Southern Woods Park III, it was discovered that each of the buildings have minor encroachments into certain platted utility easements.

As you can see from the enclosed instrument, the north side of both buildings encroaches approximately 4 feet into a 30 foot utility easement, and the east side of the building on Lot 2 encroaches about 1 foot into a 10 foot utility easement. It is my understanding that there are no nearby utilities in these easements.

However, in order to make title to those lots marketable, it is necessary to vacate that portion of the easements underneath the buildings. As you may recall with the Helmerich Estates properties, pursuant to Okl. Stat. tit. 11, § 42-106, it is possible to partially vacate the platted easements by a written instrument signed by at least sixty percent (60%) of the lot owners, provided that the approval of the City of Tulsa is obtained.

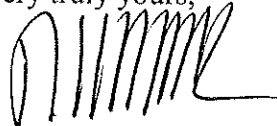
I would appreciate it if you would place this matter on the next available agenda for consideration by the TMAPC. The closings related to the sale of these properties have been delayed until this instrument has been processed and recorded.

Also, for your information, Ricky Jones with Tanner Consulting will be handling the Planned Unit Development issues related to the fact that the east side of the building on Lot Two (2) encroaches approximately 1 foot across a building set back line.

November 7, 2007
Page 2

Please call me if you have any questions or need anything else.

Very truly yours,

A handwritten signature in black ink, consisting of a series of vertical strokes and a horizontal line at the end, representing the name Roger K. Eldredge.

Roger K. Eldredge

cc: Robert R. David (w/ encl. by e-mail)
Ricky Jones (w/ encl. by e-mail)

**PARTIAL VACATION OF PLAT OF SOUTHERN WOODS PARK III,
AN ADDITION TO THE CITY OF TULSA, STATE OF OKLAHOMA**

WHEREAS, Southern Woods Park III, an addition to the City of Tulsa, State of Oklahoma, ("Southern Woods Park III") was platted by Plat No. 6062 recorded in the office of the County Clerk of Tulsa County, Oklahoma on December 13, 2006 (the "Plat").

WHEREAS, Leadership Properties Management, L.L.C., an Oklahoma Limited Liability Company, ("Leadership"), is the record owner of Lots One (1) through Ten (10), Block One (1) of Southern Woods Park III, an addition to the City of Tulsa, State of Oklahoma, according to the recorded Plat thereof, LESS AND EXCEPT Lots Seven (7) and Nine (9).

WHEREAS, BHR Properties, L.L.C., an Oklahoma Limited Liability Company, ("BHR") is the record owner of Lot Seven (7), Block One (1) of Southern Woods Park III, an addition to the City of Tulsa, State of Oklahoma, according to the recorded Plat thereof.

WHEREAS, Bendana Properties, an Oklahoma Limited Liability Company, ("Bendana") is the record owner of Lot Nine (9), Block One (1) of Southern Woods Park III, an addition to the City of Tulsa, State of Oklahoma, according to the recorded Plat thereof.

WHEREAS, Leadership, BHR and Bendana desire to partially vacate certain easements that were established by the Plat, with the portion of the easements to be partially vacated described in the attached Exhibit A and Exhibit B.

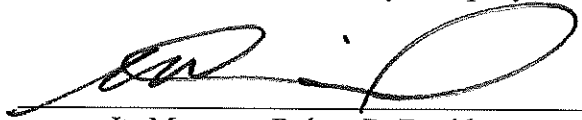
WHEREAS, Leadership, BHR and Bendana, who are all of the record owners of the lots within Southern Woods Park III, have consented to such vacation as reflected by their signatures below.

NOW, THEREFORE, pursuant to the provisions of Okla. Stat. tit. 11, § 42-106, Leadership, BHR and Bendana, who constitute at least sixty percent (60%) of the owners of the lots within Southern Woods Park III, with the consent of the City of Tulsa, as reflected below, do hereby vacate the portion of the platted easements described in the attached Exhibit A and Exhibit B through the partial vacation of the Plat pursuant to the terms of this instrument.

IN WITNESS WHEREOF, the undersigned have executed this instrument on the dates indicated below.

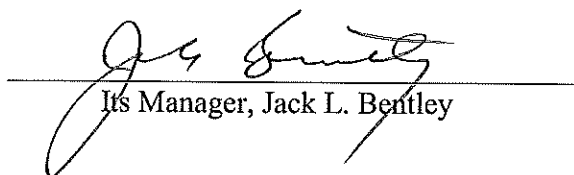
“Leadership”

Leadership Properties Management, L.L.C.,
an Oklahoma Limited Liability Company


Its Manager, Robert R. David

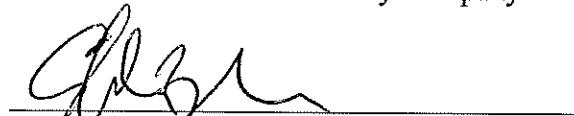
“BHR”

BHR Properties, L.L.C.,
an Oklahoma Limited Liability Company


Its Manager, Jack L. Bentley

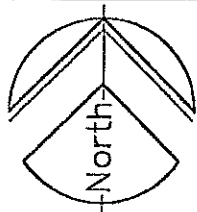
“Bendana”

Bendana Properties, L.L.C.,
an Oklahoma Limited Liability Company


Its Manager, Charles T. Bendana

Lot 1 Block 1 Encroachment Exhibit

Exhibit A



1"=30'

NORTH LINE LOT 1

LOT
4

LOT
3

P.O.C.
NE CORNER LOT 1

N00°03'21"E
5.23'

30' U/E

S90°00'00"E
72.86'

P.O.B.

S00°04'10"W
37.87'

N90°00'00"W
3.99'

71.40'
N90°00'00"W

S50°00'00"W
1.91'

15' U/E

S00°03'21"W
4.00'

LOT
1

LOT
2

BLOCK 1

20' RWE

125' B/L

EAST LINE LOT 1

LEGAL DESCRIPTION

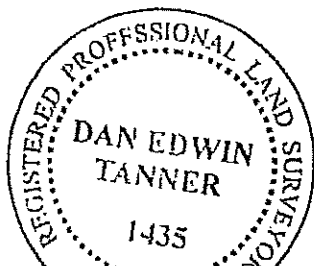
A TRACT OF LAND THAT IS PART OF OF LOT ONE (1), BLOCK ONE (1), "SOUTHERN WOODS PARK III", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6062); TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT ONE (1); THENCE SOUTH 00°04'10" WEST ALONG THE EAST LINE OF SAID LOT ONE (1) FOR A DISTANCE OF 37.87 FEET TO A POINT; THENCE NORTH 90°00'00" WEST FOR A DISTANCE OF 3.99 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°03'21" WEST FOR A DISTANCE OF 4.00 FEET; THENCE NORTH 90°00'00" WEST FOR A DISTANCE OF 71.40 FEET; THENCE SOUTH 50°00'00" WEST FOR A DISTANCE OF 1.91 FEET; THENCE NORTH 00°03'21" EAST FOR A DISTANCE OF 5.23 FEET; THENCE SOUTH 90°00'00" EAST FOR A DISTANCE OF 72.86 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 292 SQUARE FEET OR 0.007 ACRES, MORE OR LESS.

Real Property Certification

I, DAN E. TANNER, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA



[Signature]

Dan E. Tanner, P.E., P.L.S.

Oklahoma P.L.S. #1435

Oklahoma Certificate of Authorization No. 2661

Expiration Date: 06/30/09

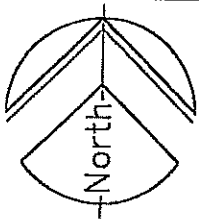
10.31.07
Date

12.5

Tanner Consulting, LLC

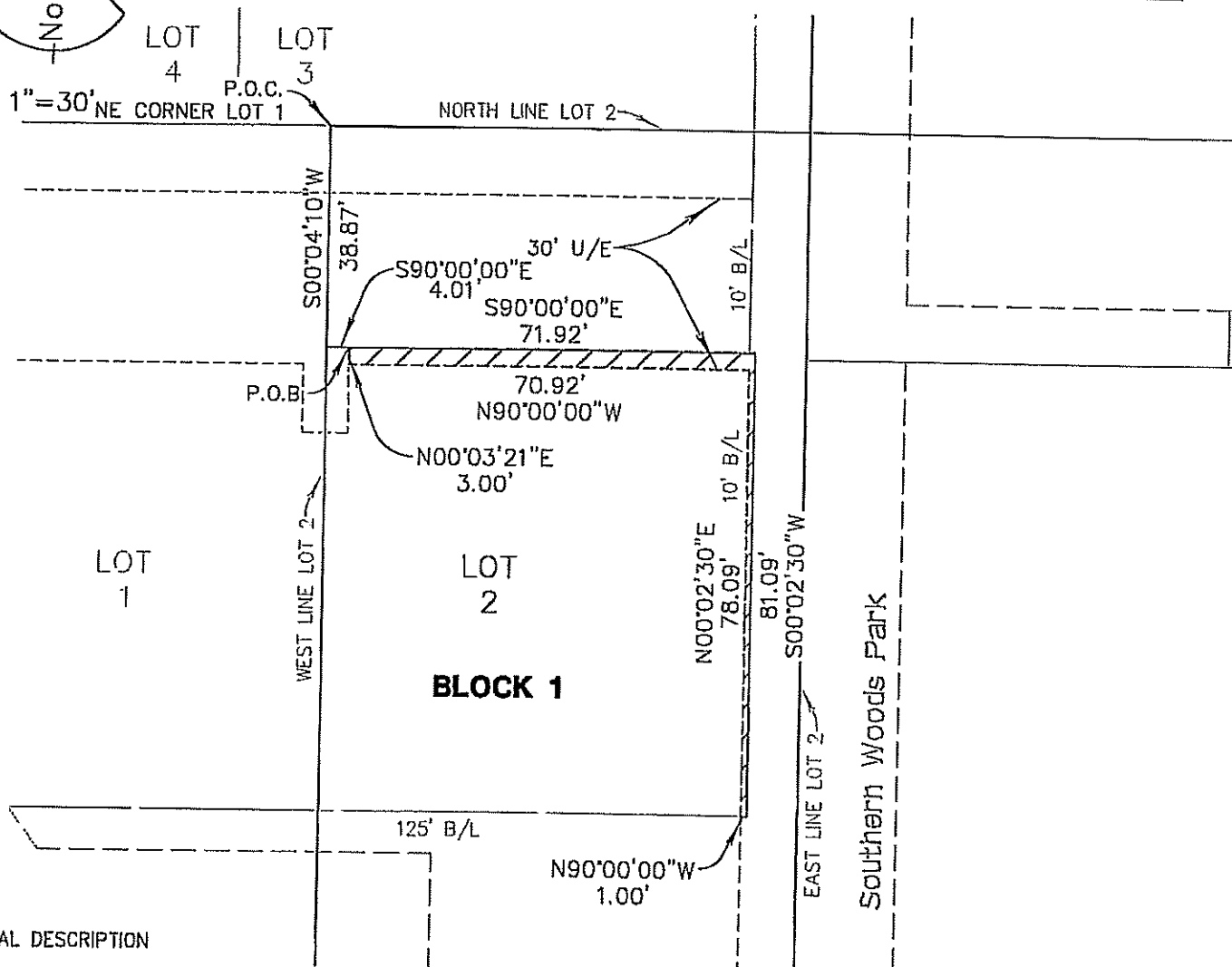
5323 SOUTH LEWIS AVENUE • TULSA, OKLAHOMA 74105 • (918)745-9929

10/31/2007, 25120AS-LOT1AND2_BLK1



Lot 2 Block 1 Encroachment Exhibit

Exhibit B



LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF OF LOT TWO (2), BLOCK ONE (1), "SOUTHERN WOODS PARK III", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6062); TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT TWO (2); THENCE SOUTH 00°04'10" WEST ALONG THE WEST LINE OF SAID LOT TWO (2) FOR A DISTANCE OF 38.87 FEET TO A POINT; THENCE SOUTH 90°00'00" EAST FOR A DISTANCE OF 4.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 90°00'00" EAST FOR A DISTANCE OF 71.92 FEET; THENCE SOUTH 00°02'30" WEST FOR A DISTANCE OF 81.09 FEET; THENCE NORTH 90°00'00" WEST FOR A DISTANCE OF 1.00 FEET; THENCE NORTH 00°02'30" EAST FOR A DISTANCE OF 78.09 FEET; THENCE NORTH 90°00'00" WEST FOR A DISTANCE OF 70.92 FEET; THENCE NORTH 00°03'21" EAST FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 294 SQUARE FEET OR 0.007 ACRES, MORE OR LESS.

Real Property Certification

I, DAN E. TANNER, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA



Dan E. Tanner, P.E., P.L.S.
Oklahoma P.L.S. #1435
Oklahoma Certificate of Authorization No. 2661
Expiration Date: 06/30/09

10.31.07
Date

12.4

