

CITY BOARD OF ADJUSTMENT
MINUTES of Meeting No. 980
Tuesday, May 27, 2008, 1:00 p.m.
Francis F. Campbell City Council Room
Plaza Level of City Hall
Tulsa Civic Center

**MEMBERS
PRESENT**
Henke, Chair
Stead, Vice Chair
Stephens
Tidwell, Secretary
White

**MEMBERS
ABSENT**

**STAFF
PRESENT**
Alberty
Butler
Cuthbertson

**OTHERS
PRESENT**
Ackermann, Legal

The notice and agenda of said meeting was posted in the City Clerk's office, City Hall, on Friday, May 23, 2008, at 10:30 a.m., as well as at the Office of INCOG, 201 W. 5th St., Suite 600.

After declaring a quorum present, Chair Henke called the meeting to order at 1:00 p.m.

Mr. Cuthbertson read the rules and procedures for the Board of Adjustment Public Hearing.

MINUTES

On **MOTION** of **Tidwell**, the Board voted 5-0-0 (White, Henke, Stead, Tidwell, Stephens "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** the Minutes of May 13, 2008 (No. 979).

REQUEST TO CONTINUE AND CASES TO WITHDRAW

Case No. 20684

Action Requested:

Variance of the side yard setback to permit an existing carport (Section 210.B.10); and a Variance of the side and rear setback for an existing accessory building in the required rear yard (Section 210.B.5.b), located: 27 South 166th Avenue East.

Presentation:

Mr. Cuthbertson stated the applicant and the City Councilor for this district requested a continuance to June 24, 2008.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **White**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** Case No. 20684, to the meeting on June 24, 2008, on the following described property:

LT 10 BLK 5, ROSE DEW ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20693

Action Requested:

Special Exception to permit multi-family (Use Unit 8) in a CS district (Section 701) to permit reuse of an existing structure, located: 11910 East 11th Street South.

Presentation:

Mr. Cuthbertson stated the applicant has withdrawn this application and requested a partial refund.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a partial refund of \$200.00, as recommended by staff, on the following described property:

LT 1 BLK 1, ELEVENTH STREET II ADDN RESUB L2 B1 ELEVENTH ST ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20689

Action Requested:

Special Exception to permit a (Use Unit 5) Place of Worship accessory structure in the RS-3 district (Section 401); Special Exception to modify the height of a fence in the required front yard in the RS-3 district (Section 210.B.3); Variance of the setback of a fence and structure from the centerline of an abutting ROW (Section 215) to permit a playground addition to an existing Place of Worship facility, located: 1923 North Cincinnati Avenue.

Presentation:

Mr. Cuthbertson informed the Board that the applicant requested a continuance to June 10, 2008 for additional relief.

Board Action:

On **Motion** of **White**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** Case No. 20689 to the meeting on June 10, 2008, on the following described property:

LOT-33-BLK-5, MEADOWBROOK ADDN, City of Tulsa, Tulsa County, State of Oklahoma

NEW APPLICATIONS

Case No. 20685

Action Requested:

Special Exception to permit an event/ community center (Use Unit 5) in the IL district (Section 901), located: 10111 East 45th Place.

Presentation:

Sam Stokely, 10111 East 45th Place, Tulsa, Oklahoma, 74146, stated they do not need the office space and decided to use this facility to a community event center. They have paved parking, landscaping, security, and a fence. He replied to Mr. Stephens they planned to continue landing their helicopter on the property. He informed the Board that 90% of the functions are on the weekends or in the evening. The area businesses are open generally 8:00 a.m. to 5:00 p.m., Monday through Friday. They do not plan to have a restaurant or a bar. Events would be catered. Mr. Stokely noted there are 50 parking spaces in the rear and twenty in front. He referred to a letter from a neighboring business owner permitting his customers to use their parking any time. The site plan, floor plan and photographs were provided in advance of this hearing (Exhibits A-1, A-2, A-3).

Comments and Questions:

To Board member questions Mr. Stokely responded that the neighboring parking is paved with asphalt, though it may not be in the best condition. He stated they expect to have business events during the weekdays, and other social events in the evenings and on weekends. They would not have outside speakers. They planned to have a security officer for events with 50 or more cars. He stated that he would see to the clean-up of the grounds after each event. Ms. Stead mentioned that the Board usually sets a limit to the number of years for approval, and the applicant would need to apply for an extension. Mr. Stokely responded to Mr. White regarding serving alcoholic beverages that they would allow ABLE-licensed caterers but the owner would not provide a bar.

Interested Parties:

Michael Craft, 4500 South 102nd East Avenue, Tulsa, Oklahoma, 74146, stated his family runs a bus business in this area. He expressed concern that the entrance to his property would be blocked as has happened once in the past. He expressed concern that this would lead to more crime in the area. He stated this use has been operating since about last October.

Applicant's Rebuttal:

Mr. Stokely responded to the Board, that the one time there was a complaint the owner of the car was sitting in the car and was not involved with the applicant's business. He stated they have fences for security. They have hosted business open houses and holiday parties for the past twenty years in their facility. He came to the Board to make sure they would be in compliance with the zoning code. They do not allow any parking in the driveways. They supervise parking at all of their events. They expect about two events per week. Mr. Stokely stated they permit bands and disc jockeys at events but no bands or speakers outside the building. He provided the Board with a copy of the Terms and Conditions and a "Facility Rental Agreement" (Exhibit A-4, A-5) for his customers.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Special Exception to permit an event/ community center (Use Unit 5) in the IL district (Section 901); approval for an initial period of two years; no outside speakers; one law enforcement officer for every event of 50 or more cars shall be hired; and provide all trash pick-up immediately following each event; finding the special exception will be in harmony with the spirit and intent of the code and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare, on the following described property:

PRT TRACT IN SE NW ADJ LT 1 & PRT LT 1 BEG 176E 60N 98.73E SWC TH N443.33 SE161.76 S343.29 W127.13 POB BLK 1, IDEAL BRICK INDUSTRIAL TRACTS, City of Tulsa, Tulsa County, State of Oklahoma

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Case No. 20686

Action Requested:

Special Exception to permit a tent revival and trailer for security purposes (Use Unit 2) for 10 days per year from 2008 to 2012 between May and August, in an AG District (Section 301), located: West of Southwest corner of East 31st Street and South 129th Place.

Presentation:

Charles Evans, 5560 Gum Road, Joplin, Missouri, 64804, proposed to set up a tent temporarily for revivals as they have done for the past ten years. A site plan was provided (Exhibit B-1).

Mr. Stephens out at 1:40 p.m.

Comments and Questions:

Ms. Stead confirmed the applicant read the staff comments. He responded to questions from the Board, stating the hours of services would be from 10:30 a.m. to 1:30 p.m. and from 7:30 p.m. to 10:00 p.m., for ten days in a row.

Mr. Stephens returned at 1:41 p.m.

Ms. Stead confirmed that the mobile trailer is removed in ten days; that no speakers are used outside the tent; the decibel level would comply with the city ordinance; and parking would be limited to the paved areas. Mr. Evans stated they have volunteers with the church for security. There are security lights outside the tent and lights within the tent. Mr. Henke asked about the number of days they need. Mr. Evans was agreeable to twelve days to include setting up and breaking down the equipment.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion of White**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Special Exception to permit a tent revival and trailer for security purposes (Use Unit 2) for 10 days per year from 2008 through 2012 (for a five year period) between May and August with an additional two days, one before and one after, for setting up and breaking down the tent, in an AG District (Section 301); with conditions that all lighting relative to the tent be focused down and away from residential neighborhoods; all sound systems be within the tent and comply with volume limits established by the City of Tulsa; all parking shall be on existing paved areas; in accordance with the site plan submitted on page 4.6 of the agenda packet; any trash and debris be picked up on a daily basis; finding the special exception will be in harmony with the spirit and intent of the code and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare, on the following described property:

NE NW LESS BEG SWC NE NW TH N315 SE182.47 SE93.88SE193.49 W330
POB & LESS BEG 50S NEC NE NW TH S1269.23 W377 N450 E337 N819.25
E40 POB & LESS N50 FOR ST SEC 20 19 14 32.937ACS, City of Tulsa, Tulsa
County, State of Oklahoma

Case No. 20687

Action Requested:

Special Exception to modify the height of a fence in the required front yard in a residential district (Section 210.B.3) and a Variance of the paving requirement of a parking area (Section 1303.D), located: 1145 East Haskell Street North.

Mr. Tidwell out at 1:47 p.m.

Presentation:

Augustin Luna, 822 South Troost, Tulsa, Oklahoma, 74120, stated he has a wall in the front yard and a gravel drive. He pointed out the elevation changes in front, which is the reason for the height differences in the fence.

Comments and Questions:

Ms. Stead asked how long he has owned the property. Mr. Luna replied he has owned it since 1991 or 1992. The house was built before 1970. The drive was graveled when he purchased it. He stated there are no paved driveways in the neighborhood.

Interested Parties:

Tony Blueford, 1025 North Rockford, Tulsa, Oklahoma, 74106, stated he is the Crutchfield Neighborhood President. He noted that the fence has not kept criminals from this property. He added that the driveway has always been gravel. He submitted a letter of support from the Crutchfield Neighborhood Association (Exhibit C-1).

Mr. Tidwell returned at 1:53 p.m.

Ms. Stead noted the wall does not restrict sight.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Special Exception to modify the height of a fence in the required front yard in a residential district (Section 210.B.3) and a Variance of the paving requirement of a parking area (Section 1303.D), and finding the driveway has always been gravel and the house was built long before the 1970's zoning code; finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, and finding the special exception will be in harmony with the spirit and intent of the code and

will not be injurious to the neighborhood, or otherwise detrimental to the public welfare, on the following described property:

LTS 47 48 49 50 BLK 4, FRISCO ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20688

Action Requested:

Special Exception to permit Automobile Rental use (Use Unit 17) in a CS district (Section 701), located: 5416 South Harvard Avenue.

Presentation:

Steve Widener, 1185 South Aspen Avenue, Broken Arrow, Oklahoma, 74012, represented Enterprise Rent A Car. He stated the use is for car rentals and no sales. A site plan was provided (Exhibit D-1).

Interested Parties:

William B. Jones, 15 East 5th Street, Suite 3800, Tulsa, Oklahoma 74103, represented Mr. Neece, owner of the office building across the street from the subject property. He stated there are no other Use Unit 17 businesses from 51st Street to 101st Street on South Harvard. He pointed out that they do not have adequate parking for this use. He also noted there was no Use Unit 15, 16 or 17's in the neighborhood. He stated he did not see landscaping or signage on the site plan. He asked that if the Board approved the application that they require landscaping, sign plans and restrictions.

Applicant's Rebuttal:

Mr. Widener replied that seven of every ten cars are neighborhood customers that need a rental while their car is repaired. The hours of operation would be Monday through Friday, 7:30 a.m. to 6:00 p.m., Saturdays 9:00 a.m. to 12:00 noon. It would operate less hours than the previous convenience store. They would improve the property, as shown in photographs of their property at 61st and Sheridan (Exhibits D-2 and D-3). He stated they would have a maximum of 10 – 12 cars at a time. Mr. Widener stated the owner of the property has an agreement for parking behind the facility contingent on approval of this application. He would like to keep the same amount of signage. He informed the Board that the underground tanks have been removed.

Board Action:

On **Motion of Stead**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Special Exception to permit Automobile Rental use (Use Unit 17) in a CS district (Section 701), with conditions for a maximum of 12 cars at any one time; car rental only, no other Use Unit 17 operations; hours Monday through Friday, 7:30 a.m. to 6:00

p.m., Saturdays 9:00 a.m. to 12:00 noon, approval for five years from May 27, 2008, per plan, as shown on page 6.6 of the agenda packet, finding the special exception will be in harmony with the spirit and intent of the code and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare, on the following described property:

BG 241.69S NEC NE SE NE TH S225 W200 N200 E90 NE POB LESS E50 & LESS S25 W150 FOR ST SEC 32 19 13 .62AC, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20690

Action Requested:

Variance of the 5 ft. landscape requirement abutting a public Right-of-Way (Section 1002.A.2); Variance of the building setback from a freeway service road (Section 703); and a Variance of the parking requirement for a bank in the CS district (Section 1211.D) and/ or a Variance to permit required parking areas within the abutting highway Right-of-Way (Section 1301.A), located: 5161 South 33rd Avenue West.

Presentation:

Jim Beach, Wallace Engineering, 200 East Brady, Tulsa, Oklahoma, pointed out that in the request they asked to allow parking in the ODOT right-of-way or reduce the number of required parking spaces. He stated there is a discrepancy in the site map that includes a strip of RS-2 property and the application, which involves only CS-zoned property. He asked for a continuance to the next meeting to resolve this problem.

Comments and Questions:

Ms. Stead confirmed that the applicant has an agreement with ODOT to use the right-of-way for a driveway to connect with the service road. Mr. Alberty pointed out that not only is the sliver of RS-2 involved but also the panhandle to the south is also zoned RS-2 under application. The issue of both portions of property need to be addressed.

Interested Parties:

Kay Price, 5815 South 31st West Avenue, Tulsa, Oklahoma, stated she did not object to other areas of parking. She expressed concern for the variance of the landscaping. She added that she discussed with Mr. Beach the possibility of planting small trees or shrubbery along the street in the city right-of-way between the street and sidewalk. She suggested a vertical evergreen that would not require trimming.

Board Action:

On **Motion** of **White**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** Case No. 20690, to the meeting on June 10, 2008, regarding the following described property:

S100 N180 W200 & W150 E1120 N/2 S/2 NW NW & S29 VAC W 52ND ST ADJ TO NL W150 E1120 N/2 S/2 NW NW LESS W50 S100 N180 W200 N/2 S/2 NW NW FOR ST SEC 34 19 12 1.58ACS, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20691

Action Requested:

Variance of the required rear yard in the RS-4 district from 20 ft. to 16 ft. (Section 403); and a Variance of the side yard abutting a public street (Section 403), located: 701 North Cheyenne Avenue.

Mr. Cuthbertson stated the applicant submitted a Certificate of Appropriateness from the Tulsa Preservation Commission (Exhibit E-1).

Presentation:

Larry Minor, 657 North Cheyenne, Tulsa, Oklahoma 74106, stated he is building this house for himself. He currently lives in a house to the south of the subject property. He pointed out the portion of property where he needs the variance. He also requested the relief of the side yard setback. He informed the Board that Oklahoma State University Master Plan indicates the closing of John Hope Franklin Boulevard at the alley to make a greenbelt to the east.

Comments and Questions:

Ms. Stead asked for the hardship. Mr. Minor replied that the lot is only eighty feet deep because of the L-shape and the out parcel that he cannot get to. He also mentioned the HP overlay requirements. The Board members asked if he would agree to approval per plan, and all driving, parking, and sidewalk surfaces to be concrete.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (White, Henke Stephens, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of the required rear yard in the RS-4 district from 20 ft. to 16 ft. (Section 403); and a Variance of the side yard abutting a public street (Section 403), with conditions for construction and maintenance of concrete paved parking and

sidewalks, per plan, as shown on page 9.6 of the agenda packet, finding that although there are more than 1 ½ platted lots, the unique shape leaves only a portion on which there can be construction, finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

W80 LT 7 and LT 8 BLK 13, BURGESS HILL ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20692

Action Requested:

Special Exception to permit Platt College (Use Unit 5) in an IL District (Section 901), located: 3801 South Sheridan Road.

Presentation:

The applicant was not present.

Board Action:

The Chair stated they would move this item down on the agenda. regarding the following described property:

All that part of the Southwest Quarter (SW/4) of Section Twenty-Three (23), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, being more particularly described as follows: Beginning at a point on line 659.64 feet South of the North line of said Southwest Quarter (SW/4) of Section Twenty-Three (23), said point being 50 feet due East of the West line of said Southwest Quarter (SW/4); Thence South 89°33'13" East a distance of 450.52 feet to a point on the Northwestern Right of Way line of Interstate Highway 44 (Skelly By-Pass); Thence South 49°20'11" West along said Right of Way line a distance of 593.91 feet to a point, said point being 50.00 feet East of the West line of said Southwest Quarter (SW/4); Thence due North and parallel with the West line of the said Southwest Quarter (SW/4) a distance of 391.51 feet to the Point of Beginning. And All that part of the Southwest Quarter (SW/4) of Section Twenty-Three (23), Township Nineteen (19) North, Range Thirteen (13) east of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, being more particularly described as follows: Beginning at a point 459.64 feet South of the Northwest Corner of the Southwest Quarter (SW/4) of Section Twenty-Three (23) and 50.00 feet East of the West line of the Southwest Quarter (SW/4); Thence South

89°57'59" East a distance of 373.02 feet to a point on the Westerly line of the old M.K.T. Railway Right of Way (now Union Pacific Railroad); Thence South 38°01'18" East along said Westerly Right of Way line a distance of 48.01 feet to a point; Thence South 51°58'42" West along said Westerly Right of Way line a distance of 25.00 feet to a point; Thence South 38°01'18" East along said Westerly Right of Way line a distance of 190.90 feet to a point; Thence North 89°33'13" West a distance of 500.50 feet to a point 50 feet East of the West line of said Southwest Quarter (SW/4); Thence due North and parallel with the West line of said Southwest Quarter (SW/4) a distance of 200.00 feet to the Point of Beginning.

Case No. 20694

Action Requested:

Variance of the required rear yard from 20 ft. to 12 ft. (Section 403); and a Variance of the side yard requirement from 5 ft. to 3 ft. (Section 403) to permit a home addition, located: 3208 East Oklahoma Place North.

Presentation:

Oscar Ramos, 3208 East Oklahoma Place, Tulsa, Oklahoma, 74110, explained the security needs for his family as the reason for this application. A site plan was provided (Exhibit F-1).

Comments and Questions:

Mr. Henke confirmed that the applicant understood the meaning of 'approval per plan'.

Interested Parties:

There were no interested parties who wished to speak.

Board Action:

On **Motion** of **Stead**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Variance of the required rear yard from 20 ft. to 12 ft. (Section 403); and a Variance of the side yard requirement from 5 ft. to 3 ft. (Section 403) to permit a home addition, per plan, as shown on page 12.6 in the agenda packet, noting the plan may not be to scale, finding the lot is legal non-conforming to RS-3 standards, containing 50 ft. of lot width, and roughly 6,000 sq. ft., whereas the code requires 6,900 sq. ft. in an RS-3 district; finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the

public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, on the following described property:

LT 10 BLK 1, WILLI MAE ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20522-A

Action Requested:

Minor Special Exception to modify a previously approved site plan to amend the proposed layout for an office development, located:

Presentation:

Darin Akerman, 6111 East 32nd Place, Tulsa, Oklahoma, stated this is a slight modification for better accessibility to the parking lot for the fire department. They have submitted an application for a lot-split for the adjacent lot. An amended site plan was provided (Exhibit G-1).

Board Action:

On **Motion** of **White**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Minor Special Exception to modify a previously approved site plan to amend the proposed layout for an office development, per plan, as shown on page 13.6 of the agenda packet, finding the special exception will be in harmony with the spirit and intent of the code and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare, on the following described property:

LT 2 BLK 3, VILLA GROVE HGTS NO 1, City of Tulsa, Tulsa County, State of Oklahoma

Case No. 20692

Action Requested:

A Special Exception to permit Platt College (Use Unit 5) in an IL District (Section 901), located: 3801 South Sheridan Road.

Presentation:

Mr. Reynolds was not present. Mr. Cuthbertson explained to the Board that when this application was filed it was with the expectation that it would be heard on June 10, 2008. There may have been some miscommunication when staff was able to put it on today's agenda.

Board Action:

On **Motion of White**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **CONTINUE** Case No. 20692, to the meeting on June 10, 2008, on the following described property:

All that part of the Southwest Quarter (SW/4) of Section Twenty-Three (23), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, being more particularly described as follows: Beginning at a point on line 659.64 feet South of the North line of said Southwest Quarter (SW/4) of Section Twenty-Three (23), said point being 50 feet due East of the West line of said Southwest Quarter (SW/4); Thence South 89°33'13" East a distance of 450.52 feet to a point on the Northwesternly Right of Way line of Interstate Highway 44 (Skelly By-Pass); Thence South 49°20'11" West along said Right of Way line a distance of 593.91 feet to a point, said point being 50.00 feet East of the West line of said Southwest Quarter (SW/4); Thence due North and parallel with the West line of the said Southwest Quarter (SW/4) a distance of 391.51 feet to the Point of Beginning. And All that part of the Southwest Quarter (SW/4) of Section Twenty-Three (23), Township Nineteen (19) North, Range Thirteen (13) east of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, being more particularly described as follows: Beginning at a point 459.64 feet South of the Northwest Corner of the Southwest Quarter (SW/4) of Section Twenty-Three (23) and 50.00 feet East of the West line of the Southwest Quarter (SW/4); Thence South 89°57'59" East a distance of 373.02 feet to a point on the Westerly line of the old M.K.T. Railway Right of Way (now Union Pacific Railroad); Thence South 38°01'18" East along said Westerly Right of Way line a distance of 48.01 feet to a point; Thence South 51°58'42" West along said Westerly Right of Way line a distance of 25.00 feet to a point; Thence South 38°01'18" East along said Westerly Right of Way line a distance of 190.90 feet to a point; Thence North 89°33'13" West a distance of 500.50 feet to a point 50 feet East of the West line of said Southwest Quarter (SW/4); Thence due North and parallel with the West line of said Southwest Quarter (SW/4) a distance of 200.00 feet to the Point of Beginning.

There being no further business, the meeting adjourned at 2:41 p.m.

Date approved: 6/10/08


Chair