

MINUTES
PLANNING & ZONING COMMISSION
SPECIAL MEETING
CITY OF PRYOR CREEK, OKLAHOMA
THURSDAY, JUNE 22ND, 2023 AT 5:30 P.M.

AS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT THE PLANNING & ZONING COMMISSION MET IN SPECIAL SESSION IN THE COUNCIL CHAMBER, 12 NORTH ROWE ON THE ABOVE DATE AND TIME.

BOARD MEMBERS: MIKE DUNHAM, DANNY RAGSDALE, SHRYLE GLANCY, GINA ALVIS-WATTS, AND JOE BARNTS

1. CALL MEETING TO ORDER, ROLL CALL AND DECLARE A QUORUM.

At 5:30 p.m. Mike Dunham called the meeting to order and declared a quorum. Members present were: Mike Dunham, Shryle Glancy, Gina Alvis-Watts and Joe Barnts. Members absent: Danny Ragsdale.

Others in attendance: Mayor Zac Doyle, Ex-Officio Kenny Young, Sheryl Laue and Luke Swift.

2. DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES OF APRIL 6TH, 2023 REGULAR MEETING.

Motion was made by Glancy, second by Barnts to approve minutes of April 6th, 2023 Regular Meeting. Voting yes: Dunham, Glancy, Alvis-Watts and Barnts. Voting no: none.

3. IN ACCORDANCE WITH CODE 10-16-1F3 THE MEMBERS OF THE PLANNING COMMISSION MUST, IN JUNE OF EACH YEAR, ELECT FROM THEIR MEMBERS A CHAIRPERSON, A VICE CHAIRPERSON AND SECRETARY, WHO WILL SERVE IN THEIR ELECTED OFFICE FOR A PERIOD OF ONE YEAR.

a. NOMINATION AND ACTION ON NAMING THE CHAIRPERSON.

Motion was made by Glancy, second by Barnts to nominate Mike Dunham to be Chairperson of the Planning and Zoning Commission. Voting yes: Glancy, Alvis-Watts, Barnts and Dunham. Voting no: none.

b. NOMINATION AND ACTION ON NAMING THE VICE CHAIRPERSON.

Motion was made by Dunham, second by Barnts to nominate Shryle Glancy to be Vice Chairperson of the Planning and Zoning Commission. Voting yes: Alvis-Watts, Barnts, Dunham and Glancy. Voting no: none.

c. NOMINATION AND ACTION ON NAMING THE SECRETARY.

Motion was made by Barnts, second by Dunham to nominate Gina Alvis-Watts to be Secretary of the Planning and Zoning Commission. Voting yes: Barnts, Dunham, Glancy and Alvis-Watts. Voting no: none.

4. PUBLIC HEARING

a. Enter Public Hearing

Lot re-orientation for: Luke Swift: Lots Numbered Six (6) and Seven (7) in Block Numbered Thirty-three (33A), of the WHITAKER ADDITION, Pryor Creek, Mayes County, State of Oklahoma, Address: 7 S Ora.

Motion was made by Glancy, second by Barnts to enter into Public Hearing. Voting yes: Dunham, Glancy, Alvis-Watts and Barnts. Voting no: none.

Luke Swift stated that the change will allow him to split his property for the purpose of selling the empty lot.

b. Exit Public Hearing

Motion was made by Alvis-Watts, second by Glancy to exit Public Hearing. Voting yes: Glancy, Alvis-Watts, Barnts and Dunham. Voting no: none.

5. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION REGARDING THE LOT RE-ORIENTATION FOR: LUKE SWIFT: LOTS NUMBERED SIX (6) AND SEVEN (7) IN BLOCK NUMBERED THIRTY-THREE (33A), OF THE WHITAKER ADDITION, PRYOR CREEK, MAYES COUNTY, STATE OF OKLAHOMA, ADDRESS: 7 S ORA.

Motion was made by Glancy, second by Alvis-Watts to recommend Council action regarding the Lot re-orientation for: Luke Swift: Lots Numbered Six (6) and Seven (7) in Block Numbered Thirty-three (33A), of the WHITAKER ADDITION, Pryor Creek, Mayes County, State of Oklahoma, Address: 7 S Ora. Voting yes: Alvis-Watts, Barnts, Dunham and Glancy. Voting no: none.

6. ADJOURN.

Motion was made by Dunham, second by Barnts to adjourn. Voting yes: Barnts, Dunham, Glancy and Alvis-Watts. Voting no: none.

CITY OF PRYOR CREEK, OKLAHOMA
PLANNING AND ZONING COMMISSION
SCHEDULE OF REGULAR MEETINGS FOR
2024

AS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT, NOTICE IS HEREBY GIVEN THAT THE PRYOR CREEK **PLANNING AND ZONING COMMISSION** WILL MEET IN REGULAR SESSION AT 5:30 P.M. ON THE FIRST THURSDAY OF EACH MONTH, EXCEPT AS OTHERWISE NOTED BELOW*. MEETINGS WILL BE HELD IN THE COUNCIL CHAMBER UPSTAIRS AT CITY HALL, 12 NORTH ROWE STREET, PRYOR CREEK, OKLAHOMA. ANYONE NEEDING SPECIAL ACCOMMODATIONS TO ATTEND AND PARTICIPATE SHOULD CALL 918-825-0888 AT LEAST 24 HOURS PRIOR TO THE MEETING.

MEETINGS WILL BE HELD AT 5:30 P.M. ON:

January 4, 2024
February 1, 2024
March 7, 2024
April 4, 2024
May 2, 2024
June 6, 2024

July 11, 2024*
August 1, 2024
September 5, 2024
October 3, 2024
November 7, 2024
December 5, 2024

FILED AND POSTED ON THE BULLETIN BOARD ON THE FIRST FLOOR LOBBY AT CITY HALL, 12 NORTH ROWE STREET, PRYOR CREEK, OKLAHOMA THIS ___ DAY OF DECEMBER 2023.

Courtney Davis, City Clerk

CITY OF PRYOR CREEK PLANNING AND ZONING COMMISSION

[] ZONING [] PREL. PLAT [] LOT SPLIT TYPE 2 [X] MODIFICATIONS [] DEVELOPMENT PLANS

12 North Rowe Street, P.O. Box 1167, Pryor Creek, Oklahoma 74362 - (918) 825-0888 - FAX (918) 825-6577 www.pryorcreek.org

APPLICATION INFORMATION

RECEIVED BY: _____ DATE FILED: _____ HEARING DATE: _____ CASE NUMBER _____

[] RESIDENTIAL [] NON-RESIDENTIAL [] MIXED USE BUILDING PERMIT APPLICATION NUMBER _____

NEIGHBORHOOD ASSOCIATIONS: _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: Lot 10, Block 1 Ragsdale Addition

LEGAL DESCRIPTION: 525 S. Dawn Street, Pryor OK

PRESENT USE _____ PRESENT ZONING _____ FLOOD PLAIN [] Y [X] N HISTORIC DESIGNATION [] Y [X] N

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED NEW ZONING: _____ PUD DESIGNATION INCLUDED: [] Y [] N PUD PROPOSAL ATTACHED [] Y [] N

PROPOSED USE: To allow New Residential Construction by Removing Temporary Restriction from Plat. There is

NATURE OF PUD AMENDMENT: Already Road Access south of Lot.

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>Becky Orange</u>	NAME <u>Butler Homes LLC</u>
ADDRESS <u>205 S Adair St</u>	ADDRESS <u>PO Box 882</u>
CITY, ST, ZIP <u>PRYOR OK 74361</u>	CITY, ST, ZIP <u>PRYOR, OK 74362</u>
DAYTIME PHONE <u>918-864-0467</u>	DAYTIME PHONE <u>918-824-2700</u>
EMAIL _____	EMAIL <u>contactus@butlerhomesllc.com</u>
FAX _____	FAX _____

I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.

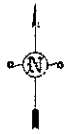
SIGNATURE & DATE: Becky Orange

DOES OWNER CONSENT TO THIS APPLICATION [] Y [] N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? _____

APPLICATION FEES			
BASE APPLICATION FEE	\$10.00		<u>10⁰⁰</u>
ADDITIONAL REQUESTS	\$	APPLICATION SUBTOTAL	\$
NEWSPAPER PUBLICATION	\$		
SIGN POSTING	\$18.50		
Review letter fee from City Reviewer for P & Z Meeting	\$125.00		\$
300' PROPERTY OWNERS LIST			
300' PROPERTY OWNERS CERTIFICATE OF MAILING & POSTAGE (.60 + 1.85 X # of mailing)	\$2.45 x =	\$	
		NOTICE SUBTOTAL	
		TOTAL AMOUNT DUE	\$ <u>10⁰⁰</u>

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

PAID \$



FINAL PLAN
of

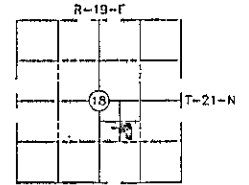
RAGSDALE ADDITION

A TRACT OF LAND SITUATED IN SE/4 LOCATED IN SECTION 18, TOWNSHIP 21 NORTH, RANGE 19 EAST,
OF THE INDIAN BASE AND MERIDIAN, MAYES COUNTY, STATE OF OKLAHOMA

SURVEYOR:
LANDMARK SURVEYING L.L.C.
243 S. TAYLOR ST.
Pryor, Oklahoma 74501
Phone: (918) 825-2801
C.A. No. 4572

OWNER:
RRR PROPERTY MANAGEMENT, L.L.C.
1517 MERLIN CIRCL.
PRYOR, OK 74501
PHONE: (918) 851-1144

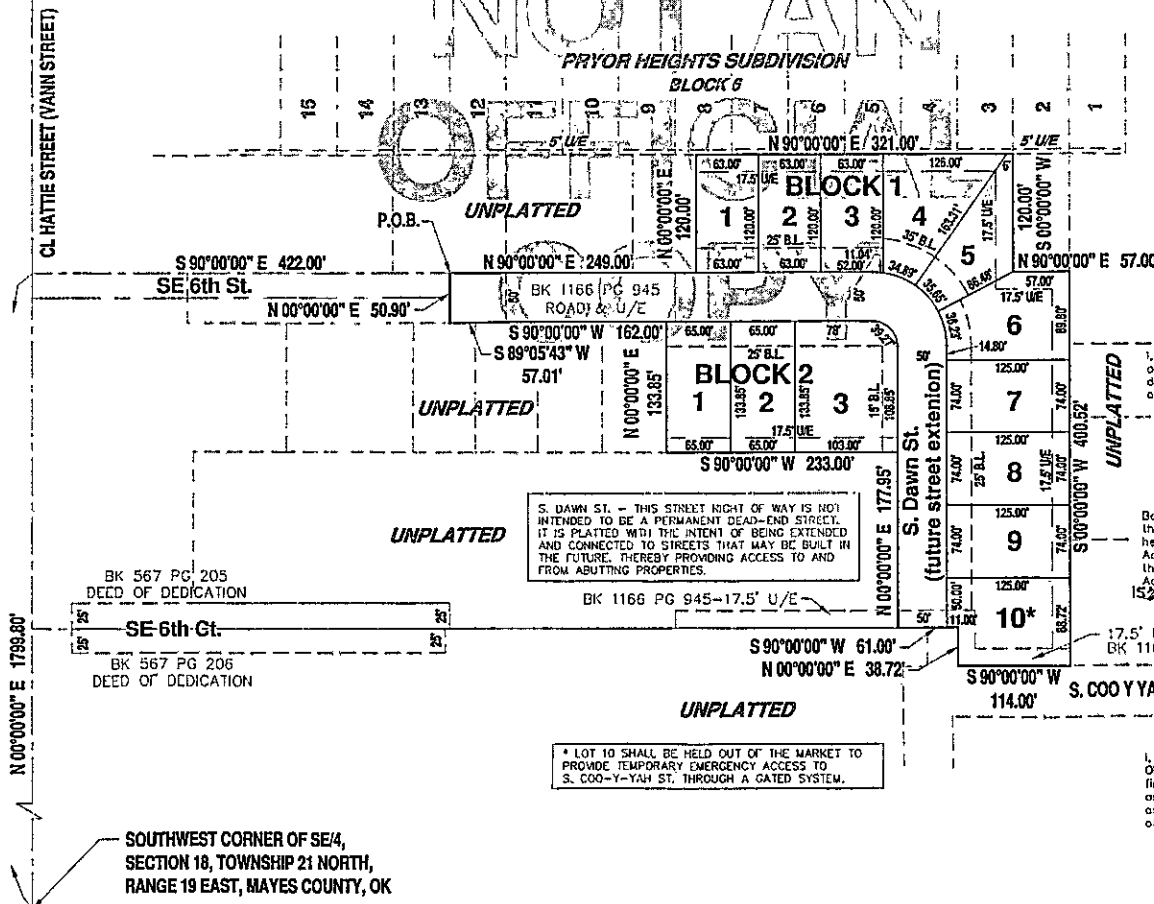
ENGINEER:
INFRASTRUCTURE SOLUTIONS GROUP, L.P.
3540 SOUTH 103rd EAST AVE., SUITE 227
TULSA, OKLAHOMA 74116-643500
OKLAHOMA CERTIFICATION #6685
EXPIRATION DATE: JUNE 30, 2021



LOCATION MAP
SCALE: 1"=2000'

NOT A PART OF THIS PLAT

PRYOR HEIGHTS SUBDIVISION
BLOCK 6



FLOOD PLAIN DESIGNATION

THE PROPERTY DESCRIBED AND SHOWN ON THIS SURVEY DOES NOT LIE WITHIN THE 500 YEAR FLOOD PLAIN, NOR THE 100 YEAR FLOOD PLAIN.

REFERENCE: FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD RATE MAP, MAYES COUNTY, OK., AND UNINCORPORATED AREAS MAP NO. 40097C0237E MAP DATED SEPTEMBER 16, 2011

CITY PLANNING COMMISSION APPROVAL

I, Nichol Dabham, Chairman of the City Planning Commission for the City of Pryor Creek, State of Oklahoma, do hereby that the said Commission duly approved the annexed plot of RAGSDALE ADDITION on this 10th day of December, 2020.

Chairman

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

Be it resolved by the council of the City of Pryor Creek, Oklahoma, that the dedication shown on the attached plot of RAGSDALE ADDITION is hereby accepted. Adopted by the City Council of the City of Pryor Creek, State of Oklahoma, this 15th day of December, 2020. Adopted by the Mayor of the City of Pryor Creek, State of Oklahoma, this 15th day of December, 2020.

Larry Lees, Mayor

CERTIFICATE OF CITY CLERK

I, Cheryl D. Lewis, City Clerk of the City of Pryor Creek, State of Oklahoma, do hereby I have examined the records of the said City and find that all delinquent payments or unperfected installment upon special assessment procedure now pending against the land as shown on the plat of RAGSDALE ADDITION this 11th day of December, 2020.



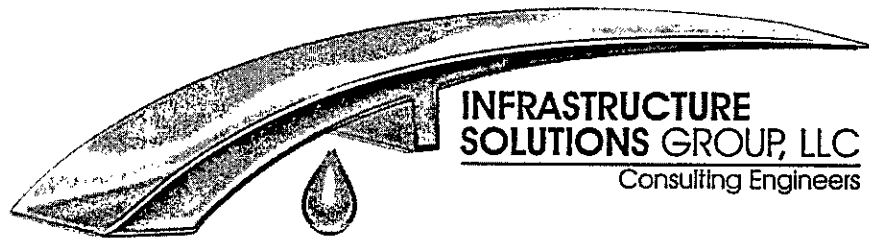
Cheryl D. Lewis, City Clerk

S. DAWN ST. - THIS STREET RIGHT OF WAY IS NOT INTENDED TO BE A PERMANENT DEAD-END STREET. IT IS PLATTED WITH THE INTENT OF BEING EXTENDED AND CONNECTED TO STREETS THAT MAY BE BUILT IN THE FUTURE, THEREBY PROVIDING ACCESS TO AND FROM ADJACENT PROPERTIES.

* LOT 10 SHALL BE HELD OUT OF THE MARKET TO PROVIDE TEMPORARY EMERGENCY ACCESS TO S. COO-Y-YAH ST. THROUGH A GATED SYSTEM.

SOUTHWEST CORNER OF SE/4,
SECTION 18, TOWNSHIP 21 NORTH,
RANGE 19 EAST, MAYES COUNTY, OK

VIEW ADDITIONAL LAND RECORDS AT
OKCOUNTYRECORDS.COM



October 24, 2023

MEMORANDUM
STAFF RECOMMENDATION
RAGSDALE ADDITION

A request has been made to amend the Ragsdale Plat to include the property outside the current described area so that Lot 10 can have the restriction removed from the plat to allow development of that lot.

The restriction was included in the plat due to the lack of frontage the lot possessed and the need for temporary emergency secondary access to the planned improved area. The intent was to use Lot 10 as the corridor for that temporary access to S. Coo-Y-Yah St. until such time as the continuation of S. Dawn St. could be completed allowing for two points of access to S. Vann St. This condition continues currently.

Because the development of Lot 10 without consideration of the secondary access point is requested, we cannot support such a request. Provisions could be made to extend the public Street (S. Dawn St.) with the dedication of public right of way outside the original Plat and the construction of that public street to fully front the Lot 10 as well as provide the needed connection to S. Coo-Y-Yah St. in the process.

To accomplish this task, no amending of the plat is needed, only the proper filing of a deed of dedication and detailed construction plans and schedule for the street improvements.

We wish to note that continuing to allow incremental improvements along this corridor without an overall plan including detention, grading, and stormwater handling facilities represents certain identified issues to downstream residents and properties. We therefore would like to see the City of Pryor require the fulfillment of the original agreement to complete those facilities prior to any further development associated with this plat and the immediate area.

Respectfully submitted,
INFRASTRUCTURE SOLUTIONS GROUP, LLC

Dale Burke, P.E.

CITY OF PRYOR CREEK PLANNING AND ZONING COMMISSION

ZONING [] PREL. PLAT [] LOT SPLIT TYPE 2 [] MODIFICATIONS [] DEVELOPMENT PLANS

12 North Rowe Street, P.O. Box 1167, Pryor Creek, Oklahoma 74362 - (918) 825-0888 - FAX (918) 825-6577 www.pryorcreek.org

APPLICATION INFORMATION

RECEIVED BY: SE DATE FILED: Sep 13, 2023 HEARING DATE: _____ CASE NUMBER _____
 [] RESIDENTIAL [] NON-RESIDENTIAL [] MIXED USE BUILDING PERMIT APPLICATION NUMBER _____
 NEIGHBORHOOD ASSOCIATIONS: _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 2309 NE 1st St Pryor, OK 74361
 LEGAL DESCRIPTION: 09-21N-19E BEG SE COR JESW THEN N880 W245.75
5880 E 245.75 TO POB
 PRESENT USE _____ PRESENT ZONING CAR FLOOD PLAIN [] Y [x] N HISTORIC DESIGNATION [] Y [x] N

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED NEW ZONING: RS-70 PUD DESIGNATION INCLUDED: [] Y [x] N PUD PROPOSAL ATTACHED [] Y [x] N
 PROPOSED USE: RS-70 Single family home see email

NATURE OF PUD AMENDMENT: _____

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>Tyler Ragsdale</u>	NAME
ADDRESS <u>2003 Graham Pl</u>	ADDRESS
CITY, ST, ZIP <u>Pryor, OK 74361</u>	CITY, ST, ZIP
DAYTIME PHONE <u>918-260-1740</u>	DAYTIME PHONE
EMAIL <u>Ragsdale2121@yahoo.com</u>	EMAIL
FAX	FAX

I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.

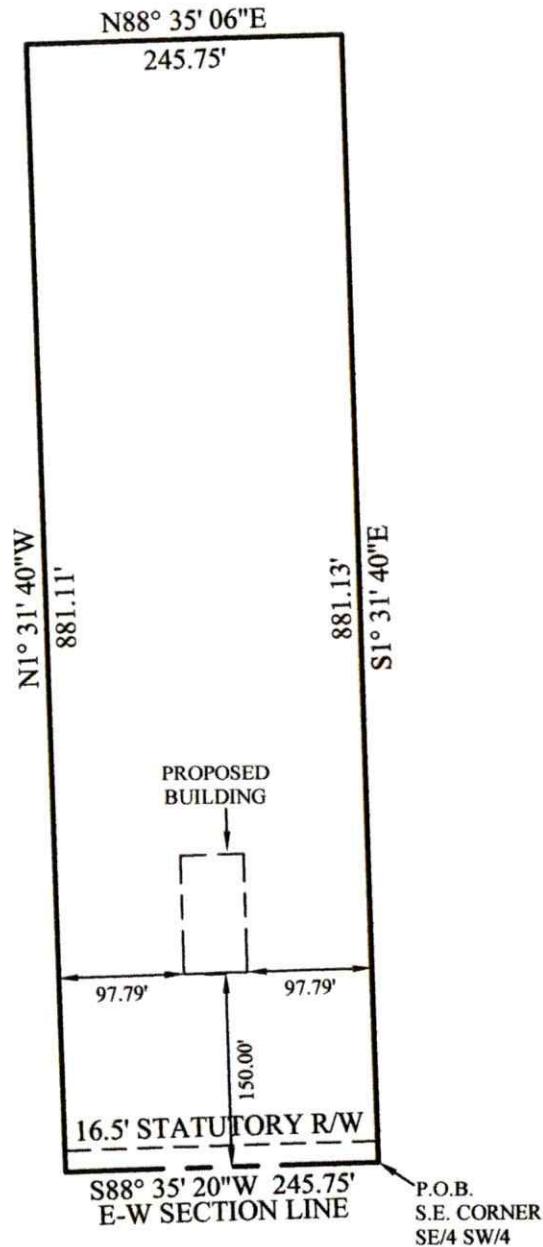
SIGNATURE & DATE: Tyler Ragsdale 9-13-2023

DOES OWNER CONSENT TO THIS APPLICATION Y [] N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? _____

APPLICATION FEES			
BASE APPLICATION FEE	\$10.00		10.00
ADDITIONAL REQUESTS	\$	APPLICATION SUBTOTAL	\$ -
NEWSPAPER PUBLICATION	\$		120.00
SIGN POSTING	\$18.50		18.50
Review letter fee from City Reviewer for P & Z Meeting	\$125.00		\$ 0
300' PROPERTY OWNERS LIST <u>8</u>			
300' PROPERTY OWNERS CERTIFICATE OF MAILING & POSTAGE (\$0 * 1.85 X # of mailing)	$\$2.45 \times 8 = 19.60$	\$	19.84
<u>635 185</u>		NOTICE SUBTOTAL	
		TOTAL AMOUNT DUE	\$ 168.34

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

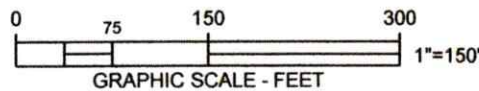
PAID



NOTE:

The subject property lies in Flood Zone "X" as per Flood Insurance Rate Map #40097C0245E dated 9/16/2011.

The subject property has a Zoning Code of "AG".



NOTE:

NO MONUMENTATION WAS SET PERT THIS PLAT, ONLY A PLOT PLAN WAS DEVELOPED.

NO EASEMENTS WERE SUPPLIED, RESEARCHED, OR ADDRESSED AS PART OF THIS SURVEY AND PLAT.

BASIS OF BEARING IS S88°35'20"W ALONG THE SOUTH LINE OF SAID SW/4.

LEGAL DESCRIPTION

A tract of land being a part of the Southeast Quarter of the Southwest Quarter (SE/4 SW/4) of Section Nine (9), Township Twenty-one (21) North, Range Nineteen (19) East of the Indian Base and Meridian, Mayes County, State of Oklahoma, more particularly described as follows, to-wit:

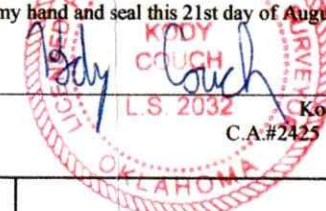
Beginning at the Southeast corner of the SE/4 of the SW/4; THENCE North 01°30'40" West along the East line of the SE/4 of the SW/4 a distance of 881.13 feet to a 1/2 inch iron pin; THENCE South 88°35'06" West a distance of 245.75 feet to a 1/2 inch iron pin; THENCE South 01°31'41" East a distance of 881.11 feet to a MAG nail on the South line of the SE/4 of the SW/4; THENCE North 88°35'20" East a distance of 245.75 feet to the point of beginning.

CERTIFICATION

I, Kody Couch, the undersigned, a duly Registered Professional Land Surveyor, R.P.L.S.#2032, in the State of Oklahoma do hereby certify that a careful and accurate survey of the described property was made under my supervision to the best of my knowledge and the accompanying plat is a true and accurate representation of the same. This plat survey meets the Oklahoma Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.

The word certify or certificate as shown and used hereon means an expression of professional opinion regarding facts of the survey and does not constitute a warranty or guarantee, expressed or implied.

Witness my hand and seal this 21st day of August, 2023.



Kody Couch, R.P.L.S. #2032
C.A.#2425 6/30/24 Copyright 2023

GREEN COUNTRY SURVEYING			RRR HOMES, LLC PROPERTY	
301 EAST GRAHAM AVENUE P.O. BOX 445 PRYOR, OKLAHOMA 74362 918-825-6575 OFFICE 918-825-3606 FAX			PLOT PLAN	
DRAWN KRC	CHECKED KRC	DATE OF FIELD WORK 8/18/2023	SCALE 1"=150'	CRD. FILE - 9-21-19 DWG FILE - RRR-HMS2

CITY OF PRYOR CREEK PLANNING AND ZONING COMMISSION

[] ZONING [X] PREL. PLAT [] LOT SPLIT TYPE 2 [] MODIFICATIONS [] DEVELOPMENT PLANS
 12 North Rowe Street, P.O. Box 1167, Pryor Creek, Oklahoma 74362 - (918) 825-0888 - FAX (918) 825-6577 www.pryorok.org

APPLICATION INFORMATION

RECEIVED BY: SL DATE FILED: 10/3 HEARING DATE: 10/26 CASE NUMBER _____
 [] RESIDENTIAL [X] NON-RESIDENTIAL [] MIXED USE BUILDING PERMIT APPLICATION NUMBER _____
 NEIGHBORHOOD ASSOCIATIONS: _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 5377 South Mill Street, Pryor, OK 74361
 LEGAL DESCRIPTION: A part of the southwest quarter of the northeast quarter of the northeast quarter (SW/4 NE/4 NE/4) in section 36, Township 21 North, Range 18 east of the Indian meridian, Mayes County, of Oklahoma
 PRESENT USE Undeveloped PRESENT ZONING CAR FLOOD PLAIN [] Y [X] N HISTORIC DESIGNATION [] Y [X] N

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED NEW ZONING: _____ PUD DESIGNATION INCLUDED: [] Y [] N PUD PROPOSAL ATTACHED [] Y [] N
 PROPOSED USE: Development of a Whataburger restaurant and associated drives/parking.

NATURE OF PUD AMENDMENT: _____

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME John Rogers	NAME WBPryorOK, LLC
ADDRESS 928 Airport Rd	ADDRESS P.O. Box 6480
CITY, ST, ZIP Hot Springs, AR, 71913	CITY, ST, ZIP Hot Springs, AR, 71902
DAYTIME PHONE 501-767-2366	DAYTIME PHONE 501-276-2267
EMAIL John.Rogers@craftontull.com	EMAIL rickw@wilent.net
FAX N/A	FAX 501-209-4204

I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.

SIGNATURE & DATE: John W. Rogers 10/3/2023
 DOES OWNER CONSENT TO THIS APPLICATION [X] Y [] N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? Civil Engineer Consultant

APPLICATION FEES			
BASE APPLICATION FEE	\$10.00		10.00
ADDITIONAL REQUESTS	\$	APPLICATION SUBTOTAL	\$
NEWSPAPER PUBLICATION	\$		11
SIGN POSTING	\$18.50		11
Review letter fee from City Reviewer for P & Z Meeting	\$125.00 <u>same or not</u>		\$
300' PROPERTY OWNERS LIST			250.00
300' PROPERTY OWNERS CERTIFICATE OF MAILING & POSTAGE	$1.86 \times 2.48 = 4.63$		19.84
		NOTICE SUBTOTAL	
		TOTAL AMOUNT DUE	\$ 279.84

mailing only

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

Document Prepared by:

October 17, 2023

R.A. Wilson Enterprises and Affiliates
514 Ouachita Ave.
Hot Springs, AR 71901
CTA #23405000

AUTHORIZATION LETTER FOR REPRESENTATIVE

I, Larry Yancey hereby give authorization to John Rogers or Russell Gartner

to prepare and submit various development applications to the City of Pryor and other authorities having jurisdiction for a proposed Whataburger Restaurant and 2 Lot Commercial Subdivision Plat located at 5351,5377 S. Mill Street, Pryor, OK.

Larry Yancey, EVA
Property Owner WSPryor, LLC

10/17/23
Date

LARRY YANCEY, EVA
Please Print Name

NOTARY PUBLIC

STATE OF Arkansas COUNTY OF Garland

I, Jessica M. King, a resident of and notary public in and for the state and county named above, who am duly commissioned and sworn and legally authorized to administer oaths and affirmation, hereby certify that on October 17, 2023, Larry Yancey, EVA, who is known to me personally, appeared before me declared said document and signed it in my presence.

Subscribed and sworn to before me this 17th day of October, 2023.

Notary Public [Signature]

My Commission expires: _____



LEGAL DESCRIPTION FOR LOT 1:

A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (SW/4 NE/4 NE/4) AND A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (SE/4 NW/4 NE/4) ALL IN SECTION 36, TOWNSHIP 21 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MAYES COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 36; THENCE SOUTH 90°00'00" WEST, 1,164.78 FEET; THENCE SOUTH 00°00'00" WEST, 896.88 FEET; THENCE SOUTH 01°36'12" EAST, 217.60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01°36'12" EAST, 235.67 FEET; THENCE SOUTH 88°26'22" WEST, 427.81 FEET; THENCE NORTH 25°32'12" EAST, 59.98 FEET; THENCE NORTH 07°17'07" EAST, 185.70 FEET; THENCE NORTH 88°33'14" EAST, 370.83 FEET; TO THE POINT OF BEGINNING AND CONTAINING 2.12 ACRES, MORE OR LESS

LEGAL DESCRIPTION FOR LOT 2:

A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (SW/4 NE/4 NE/4) IN SECTION 36, TOWNSHIP 21 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MAYES COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 36; THENCE SOUTH 90°00'00" WEST, 1,164.78 FEET; THENCE SOUTH 00°00'00" WEST, 896.88 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°36'12" EAST, 217.60 FEET; THENCE SOUTH 88°33'14" WEST 138.02 FEET; THENCE NORTH 01°35'11" WEST, 217.31 FEET; THENCE NORTH 88°25'53" EAST, 135.96 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.68 ACRES, MORE OR LESS

LEGAL DESCRIPTION FOR INGRESS/EGRESS EASEMENT

A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (SW/4 NE/4 NE/4) IN SECTION 36, TOWNSHIP 21 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MAYES COUNTY, OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 36; THENCE SOUTH 90°00'00" WEST, 1,164.78 FEET; THENCE SOUTH 00°00'00" WEST, 896.88 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°36'12" EAST, 217.60 FEET; THENCE SOUTH 88°33'14" WEST 40.00 FEET; THENCE NORTH 01°36'12" WEST, 166.34 FEET; THENCE NORTH 33°13'28" WEST, 57.22 FEET; THENCE NORTH 07°33'16" WEST, 2.48 FEET; THENCE NORTH 88°25'53" EAST, 70.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.22 ACRES, MORE OR LESS.

GENERAL SURVEYOR'S NOTES:

- THIS SURVEY REPRESENTS A LOT SPLIT SURVEY ON THOSE LANDS DESCRIBED IN TITLE COMMITMENT NO. C23-033-1 DATED 03/21/23 PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY.
- HORIZONTAL DATUM IS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83, BASED ON GPS OBSERVATIONS.
- THE FOLLOWING DOCUMENTS WERE CONSIDERED IN THE CONSTRUCTION OF THIS DOCUMENT AS FOLLOWS:
 - SURVEY FOR WALMART SUPERCENTER #22-01 BY POE & ASSOCIATES, INC. CA NO. 541, DATED APRIL 19, 2004.
 - OKLAHOMA CERTIFIED CORNER RECORD FOR THE NE CORNER OF SECTION 36, T21N, R18E BY DUSTIN M. MCNALLY, PLS. NO. 1836, DATED OCTOBER 29, 2020.
 - OKLAHOMA CERTIFIED CORNER RECORD FOR THE E/4 CORNER OF SECTION 36, T21N, R18E BY DUSTIN M. MCNALLY, PLS. NO. 1836, DATED OCTOBER 29, 2020.
 - DDOT PLAN OF PROPOSED HIGHWAY, JOB NO. FAP-583(153)(183), DATED MARCH 24, 1975.
- THE SUBJECT PROPERTY LIES IN ZONE X, UNSHADED, (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD) PER FEMA MAP PANEL NO. 40087C23AE WITH AN EFFECTIVE DATE OF SEPTEMBER 16, 2011.
- BASIS OF ACCEPTANCE OF PLSS CORNERS:
 - COMPUTED POSITION, ACCEPTED POSITION BASED ON TIES TO REFERENCE MONUMENTS SHOWN ON THE OKLAHOMA CERTIFIED CORNER RECORD.
- THERE WAS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK.
- THE ADDRESS FOR THIS PROPERTY IS 5315 S MILL ST, PRYOR, OK 74381, ACCORDING TO TITLE COMMITMENT NO. C23-033-1 DATED 03/21/23 PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY.
- THIS PROPERTY HAS DIRECT ACCESS TO U.S. HIGHWAY 69, A PUBLICLY DEDICATED RIGHT-OF-WAY.
- THE FIELD WORK WAS COMPLETED ON APRIL 5, 2023.
- UTILITIES WERE LOCATED USING THE OKE 811 SYSTEM. REQUEST NUMBERS 23040315314820 AND 23040315404587 WERE SUBMITTED 04/03/23.

CITY PLANNING COMMISSION APPROVAL

I, _____, CHAIRMAN OF THE CITY PLANNING COMMISSION FOR THE CITY OF PRYOR CREEK, STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT THE SAID COMMISSION DUTY APPROVED THE ANNEXED PLAT FOR PEYTON CROSSING ON THIS DAY OF _____, 20____.

CHAIRMAN

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRYOR CREEK, OKLAHOMA, THAT THE DEDICATED SHOWN ON THE ATTACHED PLAT OF PEYTON CROSSING IS HEREBY ACCEPTED.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF PRYOR CREEK, STATE OF OKLAHOMA, THIS _____ DAY OF _____, 20____.

ADOPTED BY THE MAYOR OF THE CITY OF PRYOR CREEK, STATE OF OKLAHOMA, THIS _____ DAY OF _____, 20____.

ZACH DOYLE, MAYOR

FLOOD PLAIN DESIGNATION

THE PROPERTY DESCRIBED AND SHOWN ON THIS SURVEY DOES NOT LIE WITHIN THE 500 YEAR FLOOD PLAIN, NOR THE 100 YEAR FLOOD PLAIN.

REFERENCE: FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD RATE MAP, MAYES COUNTY, OK., AND UNINCORPORATED AREAS MAP NO. 40087C2338E MAP DATED SEPTEMBER 16, 2011

PRELIMINARY PLAT OF

PEYTON CROSSING

A TRACT OF LAND SITUATED IN SW 1/4 NE 1/4 NE 1/4 & SE 1/4, NW 1/4, NE 1/4 SEC. 36, T21N, R18E, OF MAYES COUNTY, STATE OF OKLAHOMA

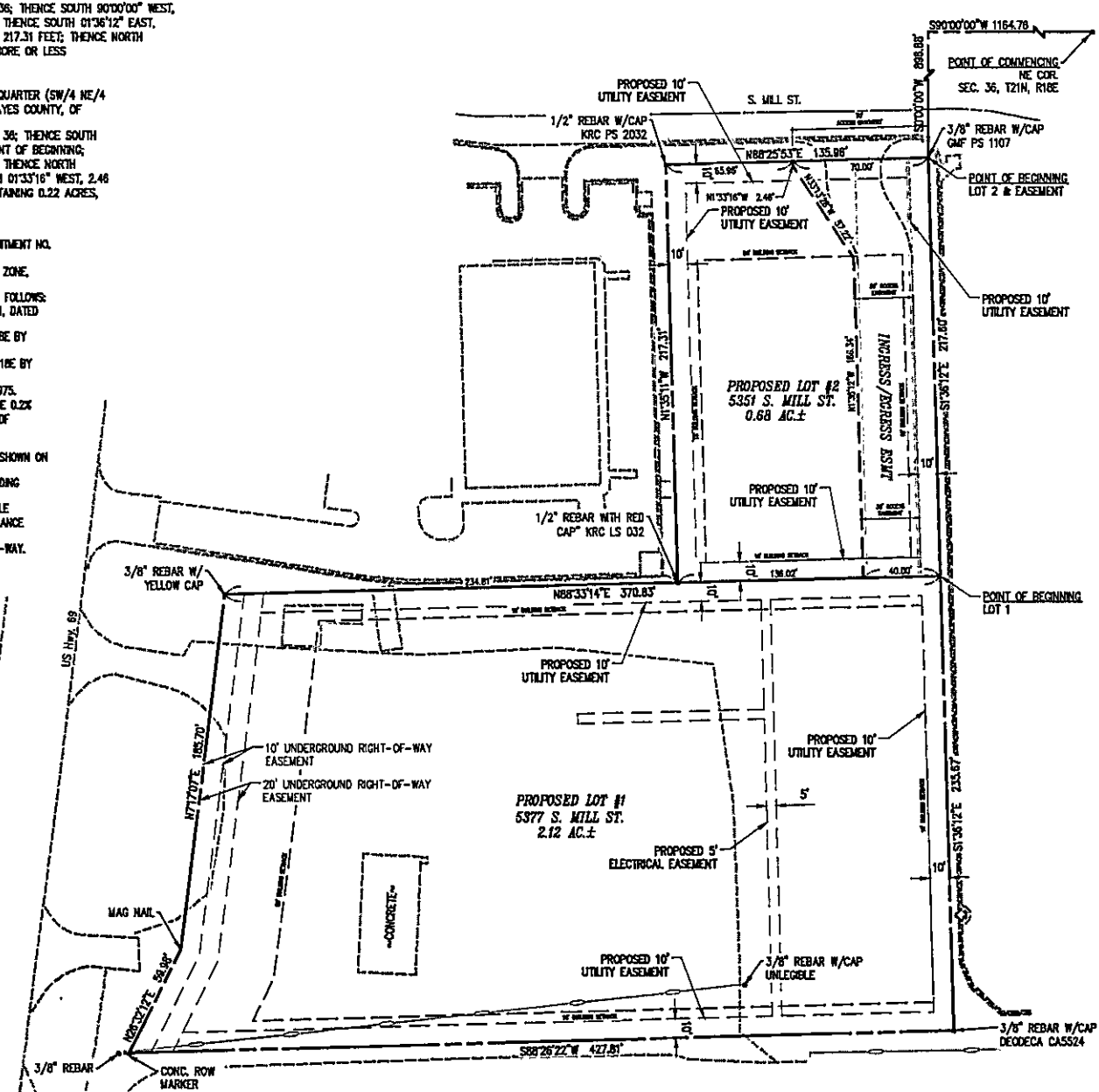
SURVEYOR
CRAFTON TULL
928 AIRPORT ROAD
HOT SPRINGS, ARKANSAS 71913
C.A. NO. 2333

OWNER
WBPRYOR, LLC
P.O. BOX 6480
HOT SPRINGS, ARKANSAS 71902

ENGINEER
CRAFTON TULL
928 AIRPORT ROAD
HOT SPRINGS, ARKANSAS 71913
(501) 787-2366

LEGEND (EXISTING SYMBOLS)

- SYMBOLS**
- FOUND MONUMENT (AS NOTED)
 - △ COMPUTED POSITION
 - ≡ SET 5/8" REBAR W/CAP PS 1427



RECORD INFORMATION

GRAPHIC SCALE IN FEET
40' 0 40'

SEAL
REGISTERED PROFESSIONAL LAND SURVEYOR
JAMES W. MONTGOMERY
1427
OKLAHOMA

PREPARED FOR:
WBPRYOR, LLC PRELIMINARY PLAT PEYTON CROSSING A PART OF THE SW 1/4 NE 1/4 NE 1/4 & SE 1/4, NW 1/4, NE 1/4 SEC. 36, T21N, R18E

DATE: 10/14/2023
PROJECT NO: 230403020
CONTACT: J. MONTGOMERY

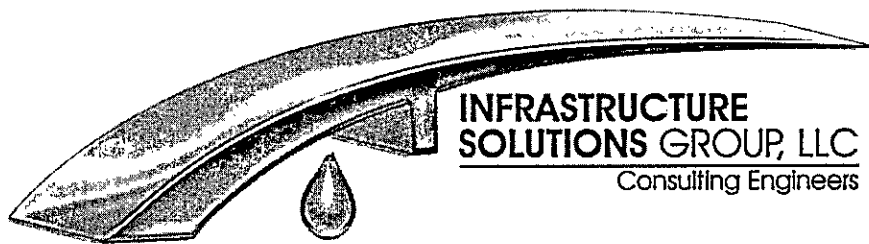
928 Airport Road
Hot Springs, Arkansas 71913
Crafton Tull
Engineering Surveying
501.787.2366 501.787.4219
www.craftontull.com

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CA 973 PE/LS
EXPIRATION: 6/30/24

DELTA	DESCRIPTION	DATE

SHEET NO.: 2 OF 2



October 24, 2023

MEMORANDUM

A summary and recommendations for the Preliminary Plat for the Whataburger Site on S Hwy 69 in Mayes County, also being on the Whataburger Site.

The submittal for the preliminary plat as provided by Crafton Tull Engineering. The following are items that we would like to state need addressing prior to submittal of the final plat.

1. The format of the graphics of the face of the plat needs to be adjusted to include a location map, ownership, OK registered Land Surveyor, and preparing agency layouts.
2. Remove the title blocks along the side in favor of the more conventional layout. A signature block for and stamp for OK Reg. Land Surveyor along with Flood Plain Status statement must appear on the face of the plat.
3. All title certification statements from all entities along with needed notary, corporate recording, and county agencies must be provided in accordance with the example submitted to the Engineer of Record previously.

Note: The graphic and legal descriptions and covenants must address the Mutual Access Easement and describe its intended use and require all parties to adhere to the provisions.

4. A closure document must be provided showing all closure accuracy within accepted OK. Surveying requirements.

We recommend approval of the Preliminary Plat and will work with the Developer to adjust the formats prior to submittal of the Final Plat for consideration and signature from this recommending body and the City Council.

Respectfully submitted,
INFRASTRUCTURE SOLUTIONS GROUP, LLC

Dale Burke, P.E.