

**MINUTES
PLANNING & ZONING COMMISSION
CITY OF PRYOR CREEK, OKLAHOMA
THURSDAY, OCTOBER 1, 2020 AT 5:30 P.M.**

AS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT THE PLANNING & ZONING COMMISSION MET IN REGULAR 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, TRAVIS MILEUR AND ALTERNATE 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, Danny Ragsdale, Shryle Glancy and Travis Mileur.

Members absent: Gina Alvis-Watts.

Others in attendance: Nicole Watts, Terry L. Davis, Harriett Dunham, Chris Curnutt, Robert Ewart, Kathy LaValley, Carolyn R Erwin, Buddy Nunley, Mayor Larry Lees, Steve Powell and Terry Aylward.

2. OATH OF OFFICE TO BE ADMINISTERED TO:

a. Shryle Glancy, Seat #3, term ending September 30, 2023.

Mayor Lees administered the Oath of Office to Shryle Glancy, Seat #3, term ending September 30, 2023.

b. Gina Alvis-Watts, Seat #4, term ending September 30, 2023.

No action.

3. DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES OF JUNE 12TH, 2020 SPECIAL MEETING.

Motion was made by Ragsdale, second by Mileur to approve the June 12th 2020 Special Meeting. Voting yes: Dunham, Ragsdale, Glancy and Mileur. Voting no: none.

4. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION REGARDING APPROVAL OF 2021 PLANNING AND ZONING COMMITTEE MEETING SCHEDULE.

Motion was made by Glancy, second by Ragsdale to approve the 2021 Planning and Zoning Committee Meeting Schedule. Voting yes: Dunham, Ragsdale, Glancy and Mileur. Voting no: none.

5. PUBLIC HEARING

a. enter public hearing

Motion by Mileur, second by Glancy to enter public hearing. Voting yes: Dunham, Ragsdale, Glancy and Mileur. Voting no: none.

1. Rezoning Applicant: Terry Davis with TLD Homes has requested a zoning change for the property in the City of Pryor, to-wit: The S/2 of the NW/4 of the SW/4 of the NW/4 and part of the SW/4 of the SW/4 of the NW/4 more particularly described as follows to-wit: Beginning at the Northwest Corner of said SW/4 SW/4 NW/4; Thence Southerly along the West Boundary thereof, a distance of 493.98 feet; Thence S 89°42' E, a distance of 159.4 feet; Thence S 0°18' E a distance of 5.0 feet; Thence Easterly, parallel to the South Boundary of said SW/4 SW/4 NW/4, a distance of 500.6 feet, more or less, to a point in the East Boundary of said SW/4 SW/4 NW/4, which point is 161.0 feet North of the Southeast Corner thereof, Thence Northerly, along the East Boundary of said SW/4 SW/4 NW/4, a distance of 499.0 feet, to the Northeast Corner thereof; Thence Westerly, along the Northerly Boundary of said SW/4 SW/4 NW/4, a distance of 660.0 feet to the point or place of beginning, all in Section 8, Township 21 North, Range 19 East of the Indian Base and Meridian. Containing 12.5209 acres and subject to covenants, easements and restrictions of record.
2. The present zoning designation for the property is RS (Residential Single). They are requesting a zoning change to RS-50 (Residential Single - 50).

Residents in the audience spoke about the drainage in the area and were concerned that this project would create more issues. Steve Powell spoke regarding a current study devising a plan to alleviate the drainage issue. Mayor Lees spoke to the audience that he has heard their statements and they do not fall on deaf ears. Most were open to the housing addition but just did not want it to cause more flooding. The architect and builder spoke regarding their responsibility to law and that they would be controlling drainage on their property.

b. exit public hearing

Motion was made by Ragsdale, second by Glancy to recommend exiting the public hearing. Voting yes: Dunham, Ragsdale, Glancy and Mileur. Voting no: none.

6. DISCUSSION AND POSSIBLE ACTION ON APPLICANT'S REQUEST FOR REZONING FROM RS (RESIDENTIAL SINGLE) TO RS-50 (RESIDENTIAL SINGLE – 50).

Motion was made by Ragsdale, second by Mileur to recommend to Council the rezoning from RS (Residential Single) to RS-50 (Residential Single-50) Voting yes: Dunham, Ragsdale, Glancy and Mileur. Voting no: none.

7. ADJOURN.

Motion was made by Ragsdale, second by Glancy to adjourn. Voting yes: Dunham, Ragsdale, Glancy and Mileur. Voting no: none.

CITY OF PRYOR CREEK PLANNING AND ZONING COMMISSION

[] ZONING [] SPECIAL USE [] PUD [] PUD MAJOR AMENDMENT [] EASEMENT/RIGHT-OF-WAY VACATION
 12 North Rowe Street, P.O. Box 1167, Pryor, Oklahoma 74362 - (918) 825-1679 - FAX (918) 825-6577 www.pryorcreek.org

APPLICATION INFORMATION

RECEIVED BY: 8/13 DATE FILED: _____ TAC DATE: _____ HEARING DATE: 11/5 CASE NUMBER _____
 [] RES [] NON-RES [] MIXED USE [] BUILDING PERMIT APPLICATION NUMBER _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 615 So. Coo Y YAH ST TRACT SIZE: ATTACHED
 LEGAL DESCRIPTION: ATTACHED

PRESENT USE: _____ PRESENT ZONING: RS FLOODPLAIN: [] Y [] N HISTORIC DESIGNATION: [] Y [] N

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED NEW ZONING: RD PUD DESIGNATION INCLUDED: [] Y [] N PUD PROPOSAL ATTACHED: [] Y [] N
 PROPOSED USE: DETACHED GARAGE WITH LIVING QUARTERS

NATURE OF PUD AMENDMENT: _____

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>BRIAN & ELLEN KNIGHT</u>	NAME <u>BRIAN & ELLEN KNIGHT</u>
ADDRESS <u>1852 SOUTHRIDGE DR</u>	ADDRESS <u>615 So. Coo Y YAH ST</u>
CITY, ST, ZIP <u>PRYOR, OK 74361</u>	CITY, ST, ZIP <u>PRYOR, OK 74361</u>
DAYTIME PHONE <u>918-260-0268</u>	DAYTIME PHONE <u>918 344 0070 / 918 260 0268</u>
EMAIL <u>bygrace1980@gmail.com</u>	EMAIL <u>bygrace1980@gmail.com</u>
FAX <u>N/A</u>	FAX <u>N/A</u>
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: <u>[Signature]</u>	

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

APPLICATION FEES			
BASE APPLICATION FEE <u>See code 10-6-2 10⁰⁰</u>	\$20.00	APPLICATION SUBTOTAL	\$ <u>10⁰⁰</u>
NEWSPAPER PUBLICATION	\$		<u>112.50</u>
SIGNS	\$18.50		<u>18.50</u>
300' PROPERTY OWNERS LIST (MUST BE SUBMITTED WITH APPLICATION) **REQUIRED FOR ALL APPLICATIONS EXCEPT RG ZONING**	<u>300</u>		<u>300⁰⁰</u>
1320' PROPERTY OWNERS LIST (REQUIRED ONLY FOR RG ZONING - MUST BE SUBMITTED WITH APPLICATION)			<u>48⁰⁰</u>
300' PROPERTY OWNERS MAILING & POSTAGE <u>150 + 50</u>	<u>1.83 x 24</u>	\$	
1320' PROPERTY OWNERS MAILING & POSTAGE	<u>1.83 x =</u>	\$	
		NOTICE SUBTOTAL	\$
RECEIPT NUMBER:		TOTAL AMOUNT DUE	\$ <u>489⁰⁰</u>

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

NOTICE OF PUBLIC HEARING

BEFORE THE CITY OF PRYOR CREEK PLANNING AND ZONING COMMISSION

Notice is hereby given that on the 5th day of November, 2020, at 5:30 P.M. in the City Hall Council Chambers, located at 12 North Rowe Street, 2nd floor, Pryor Creek, Mayes County, Oklahoma, the City of Pryor Creek Planning and Zoning Commission will consider the rezoning of the following described property from RS (Residential Single) to (RD) Residential Duplex.

LEGAL DESCRIPTION

Two tracts of land situated in Lot 20, Block 3 of the PIERRE CHOUTEAU ADDITION to the City of PRYOR CREEK, Mayes County, State of Oklahoma, according to the official Survey and Plat filed thereof, and being more particularly described as follows, to-wit:

Tract 1: Beginning at a point on the South Line of said Lot 20, Block 3, said point being 100.00 feet Northeasterly of the Southwest Corner of the East 100.00 feet of the West 140.00 feet of said Lot 20; Thence Northeasterly along said Southerly Lot Line a distance of 12.53 feet; Thence Northwesterly for a distance of 97.94 feet to a point on the Northerly Line of said Lot 20; Thence Northwesterly along the Northerly Line of said Lot 20 a distance of 7.62 feet; Thence Southerly for a distance of 99.35 feet to the point of beginning.

Tract 2: The Easterly 100 feet of the Westerly 140 feet of said Lot 20, Block 3, more particularly described as: Beginning at a point on the North Line of said Lot 20 a distance of 40.15 feet Easterly of the Northwest Corner of said Lot 20; Thence South $86^{\circ} 08.015'$ East along the Northerly Line of said Lot 20 a distance of 100 feet; Thence South $0^{\circ} 00.5'$ West parallel with the Westerly Line of said Lot 20 a distance of 99.14 feet to a point on the Southerly Line of said Lot 20; Thence South $84^{\circ} 35.515'$ West along said Southerly Line a distance of 100 feet to a point 40.15 feet Easterly of the Southwest Corner of said Lot 20; Thence North $0^{\circ} 00.5'$ East a distance of 115.45 feet to the point of beginning.



Anyone requiring special accommodations pursuant to the Americans with Disabilities Act should notify the City Clerk, Eva Smith at 918-825-0888.

LEGAL DESCRIPTION

Two tracts of land situated in Lot 20, Block 3, of the PIERRE CHOUTEAU ADDITION to the City of Pryor-Creek, Mayes County, State of Oklahoma, according to the official Survey and Plat filed thereof, and being more particularly described as follows, to-wit:

Tract 1: Beginning at a point on the South Line of said Lot 20, Block 3, said point being 100.00 feet Northeasterly of the Southwest Corner of the East 100.00 feet of the West 140.00 feet of said Lot 20; Thence Northeasterly along said Southerly Lot Line a distance of 12.53 feet; Thence Northwesterly for a distance of 97.94 feet to a point on the Northerly Line of said Lot 20; Thence Northwesterly along the Northerly Line of Lot 20 a distance of 7.62 feet; Thence Southeasterly for a distance of 99.35 feet to the Point of Beginning.

Tract 2: The Easterly 100 feet of the Westerly 140 feet of said Lot 20, Block 3, more particularly described as: Beginning at a point on the North Line of said Lot 20 a distance of 40.15 feet Easterly of the Northwest Corner of said Lot 20; Thence South 86° 08.015' East along Northerly Line of said Lot 20 a distance of 100 feet; Thence South 0° 00.5' West parallel with the Westerly Line of said Lot 20 a distance of 99.14 feet to a point on the Southerly Line of said Lot 20; Thence South 84° 35.515' West along said Southerly Line a distance of 100 feet to a point 40.15 feet Easterly of the Southwest Corner of said Lot 20; Thence North 0° 00.5' East a distance of 115.45 feet to the Point of Beginning.

CERTIFICATION

I, G. Michael Finnell, the undersigned, a duly Registered Professional Land Surveyor, R.P.L.S.#1107, 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 22nd day of September, 2020.

G. Michael Finnell
 G. MICHAEL FINNELL
 REGISTERED PROFESSIONAL LAND SURVEYOR
 OKLAHOMA
 CA #2425 6/30/22 Copyright 2020

REVISED: 9/30/2020

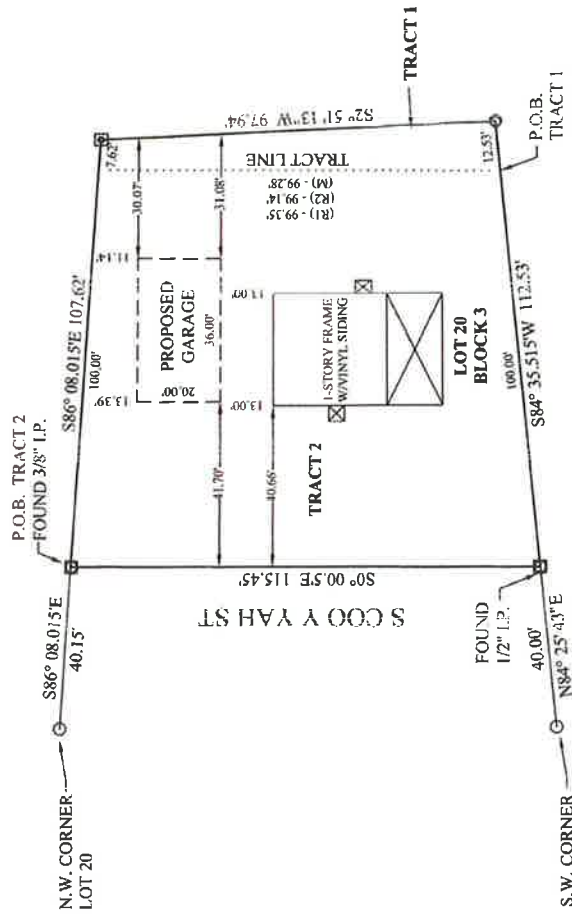
GREEN COUNTRY SURVEYING

KNIGHT 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 GMF	DATE OF FIELD WORK 9/17/2020	SCALE 1"=30'
			CRD. FILE - LITL.FLD
			DWG FILE - KNIGHT.F



- ☐ SET 3/8" I.P. W/L.S. #1107 C.A.P
 - FOUND MONUMENTATION AS NOTED
 - SET MAGNAIL W/C.A. #2425 STAMPED WASHIER
- (R1) - RECORDED TRACT 1 DISTANCE
 (R2) - RECORDED TRACT 2 DISTANCE
 (M) - MEASURED DISTANCE
 BEARINGS AND DISTANCES ARE BASED ON THE FILED PIERRE CHOUTEAU ADDITION SUBDIVISION PLAT.

NOTE:
 The subject property lies in Flood Zone "X" as per Flood Insurance Rate Map #40097C0237E dated 9/16/2011.

CITY OF PRYOR CREEK PLANNING AND ZONING COMMISSION

ZONING [] **SPECIAL USE** [] **PUD** [] **PUD MAJOR AMENDMENT**

12 North Rowe Street, P.O. Box 1167, Pryor, Oklahoma 74362 - (918) 825-1679 - FAX (918) 825-6577

www.pryorcreek.org

APPLICATION INFORMATION

RECEIVED BY: 7/2/2020 DATE FILED: _____ TAC DATE: _____ HEARING DATE: 11/5/2020 CASE NUMBER _____

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

NEIGHBORHOOD ASSOCIATIONS: _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: EAST OF 1204 E GRAHAM AVE TRACT SIZE: 1.2 ACRES

LEGAL DESCRIPTION: SEE Attached

PRESENT USE: LAND/UNDEVELOPED PRESENT ZONING: UR RD per zoning map FLOODPLAIN: [] Y [] N HISTORIC DESIGNATION: [] Y [] N

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED NEW ZONING: C/JAR - see attached ~~URBAN COMMERCIAL~~ PUD DESIGNATION INCLUDED: [] Y [] N PUD PROPOSAL ATTACHED: [] Y [] N

PROPOSED USE: POSSIBLE STORAGE FACILITY, OR METAL BUILDINGS TO HUB COMMERCIAL BUSINESSES.

NATURE OF PUD AMENDMENT: _____

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>JUSTIN JAMES</u>	NAME <u>JAMES' PROPERTIES</u>
ADDRESS <u>6 WOODCREEK LANE</u>	ADDRESS <u>6 WOODCREEK LANE</u>
CITY, ST, ZIP <u>PRYOR, OK 74361</u>	CITY, ST, ZIP <u>PRYOR, OK, 74361</u>
DAYTIME PHONE <u>918-373-0708</u>	DAYTIME PHONE <u>918-373-0708</u>
EMAIL <u>jjames@whitestarmachinery.com</u>	EMAIL <u>jjames@whitestarmachinery.com</u>
FAX _____	FAX _____
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: <u>Justin James</u>	

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

APPLICATION FEES			
BASE APPLICATION FEE	<u>See code 10-6-2</u>	<u>10⁰⁰</u>	\$20.00
ADDITIONAL FEE	ACRES x SLIDING FEE =		\$
NEWSPAPER PUBLICATION			\$
SIGNS			\$18.50
300' PROPERTY OWNERS LIST (MUST BE SUBMITTED WITH APPLICATION) **REQUIRED FOR ALL APPLICATIONS EXCEPT RG ZONING**			\$
1320' PROPERTY OWNERS LIST (REQUIRED ONLY FOR RG ZONING - MUST BE SUBMITTED WITH APPLICATION)			\$
300' PROPERTY OWNERS MAILING & POSTAGE	<u>1.50 x 31 = 45.50</u>	<u>2.00</u>	\$ <u>62</u>
1320' PROPERTY OWNERS MAILING & POSTAGE	<u>1.78 x =</u>		\$
RECEIPT NUMBER:		TOTAL AMOUNT DUE	\$ <u>495.50</u>

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

PAID

NOTICE OF PUBLIC HEARING

BEFORE THE CITY OF PRYOR CREEK PLANNING AND ZONING COMMISSION

Notice is hereby given that on the 5th day of November, 2020, at 5:30 P.M. in the City Hall Council Chambers, located at 12 North Rowe Street, 2nd floor, Pryor Creek, Mayes County, Oklahoma, the City of Pryor Creek Planning and Zoning Commission will consider the rezoning of the following described property from RD (Residential Duplex) to (C-AR) Commercial Automotive Recreation.

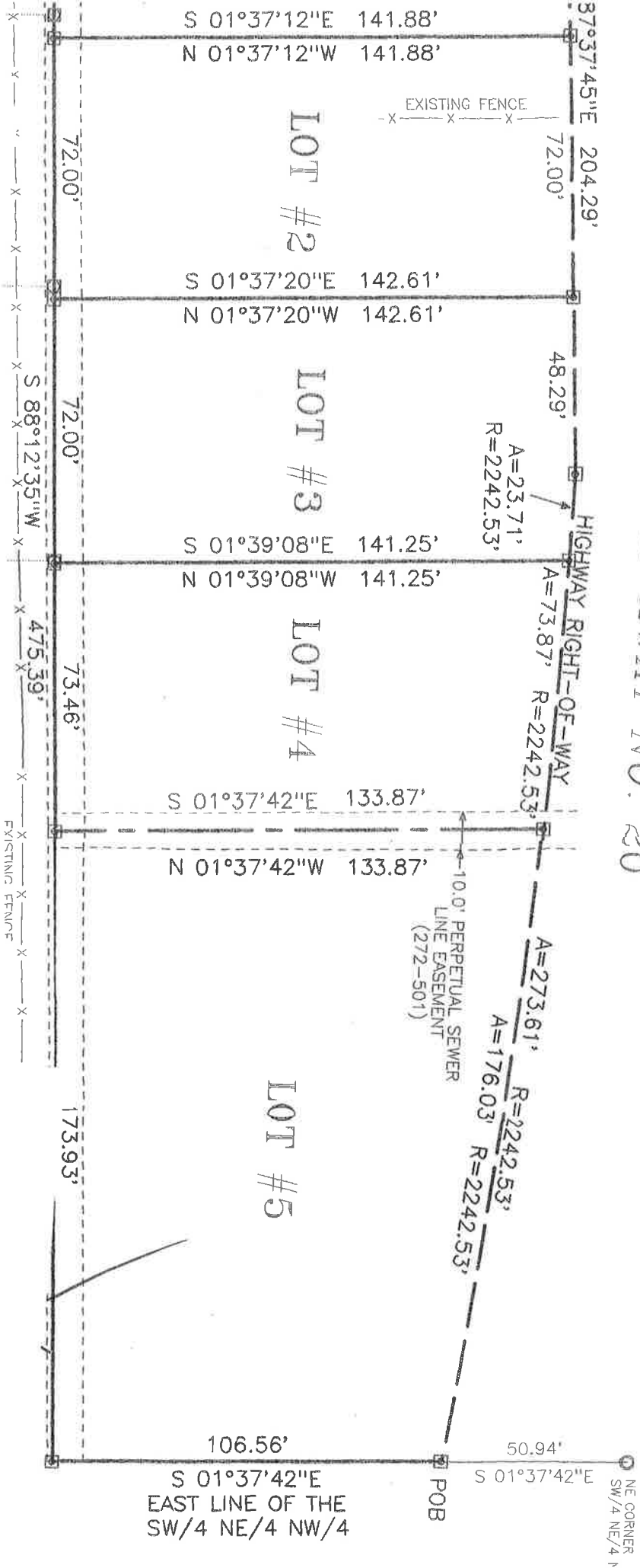
LEGAL DESCRIPTION

A tract of land situated in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Seventeen (17), Township Twenty-one (21) North, Range Nineteen (19) East of the Indian Base and Meridian in Pryor Creek, Mayes County, State of Oklahoma and more particularly described as follows, to-wit: Beginning at a point on the South Right-of-Way of State Highway No. 20 and the East Line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, 50.94 feet South of the Northeast Corner thereof; Thence South 01°37'42" East for a distance of 106.56 feet and along said East Line to a point on the North Line of the HIRZEL ADDITION to the City of PRYOR CREEK; Thence South 88° 12' 35" West for a distance of 475.39 feet and along said North Line; Thence North 01° 37' 02" West for a distance of 141.03 feet to a point on said South Right-of-Way; Thence North 87° 37' 45" East for a distance of 204.29 feet and along said Right-of-Way; Thence along a curve to the right having a radius of 2242.53 feet and an arc length of 273.61 feet, being subtended by a chord of South 84° 06' 40" East for a distance of 273.45 feet and along said Right-of-Way to the point of beginning.



Anyone requiring special accommodations pursuant to the Americans with Disabilities Act should notify the City Clerk, Eva Smith at 918-825-0888.

STATE HIGHWAY NO. 20



EXISTING FENCE

LOT #3

LEGAL DESCRIPTION

A tract of land situated in the SW/4 of the NE/4 of the NW/4 of Section 17, Township 21 North, Range 19 East of the Indian Base and Meridian in Pryor Creek, Mayes County, Oklahoma and more particularly described as follows to-wit:

Commencing at the Northeast Corner of said SW/4 of the NE/4 of the NW/4.

THENCE South 01 degrees 37 minutes 42 seconds East for a distance of 157.51 feet and along the East Line of said SW/4 of the NE/4 of the NW/4 to a point on the North Line of the HIRZEL ADDITION to the City of Pryor Creek;

THENCE South 88 degrees 12 minutes 35 seconds West for a distance of 247.39 feet and along said north line to the point of beginning.

THENCE South 88 degrees 12 minutes 35 seconds West for a distance of 72.00 feet and along said north line;

THENCE North 01 degrees 37 minutes 20 seconds West for a distance of 142.61 feet to a point on the South Right-of-Way of State Highway No. 20;

THENCE North 87 degrees 37 minutes 45 seconds East for a distance of 48.29 feet and along said right-of-way;

THENCE along a curve to the right having a radius of 2242.53 feet and an arc length of 23.71 feet, being subtended by a chord of South 87 degrees 18 minutes 13 seconds East for a distance of 23.71 feet and along said right-of-way;

THENCE South 01 degrees 39 minutes 08 seconds East for a distance of 141.25 feet to the point of beginning. This legal description was prepared by G. Michael Finnell, P.L.S. #1107, on 9/30/2016.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.2356 acres more or less.

LOT #2

LEGAL DESCRIPTION

A tract of land situated in the SW/4 of the NE/4 of the NW/4 of Section 17, Township 21 North, Range 19 East of the Indian Base and Meridian in Pryor Creek, Mayes County, Oklahoma and more particularly described as follows to-wit:

Commencing at the Northeast Corner of said SW/4 of the NE/4 of the NW/4.

THENCE South 01 degrees 37 minutes 42 seconds East for a distance of 157.51 feet and along the East Line of said SW/4 of the NE/4 of the NW/4 to a point on the North Line of the HIRZEL ADDITION to the City of Pryor Creek;

THENCE South 88 degrees 12 minutes 35 seconds West for a distance of 319.39 feet to the point of beginning.

THENCE South 88 degrees 12 minutes 35 seconds West for a distance of 72.00 feet and along said north line;

THENCE North 01 degrees 37 minutes 12 seconds West for a distance of 141.88 feet to a point on the South Right-of-Way of State Highway No. 20;

THENCE North 87 degrees 37 minutes 45 seconds East for a distance of 72.00 feet and along said right-of-way;

THENCE South 01 degrees 37 minutes 20 seconds East for a distance of 142.61 feet to the point of beginning. This legal description was prepared by G. Michael Finnell, P.L.S. #1107, on 9/30/2016.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.2351 acres more or less.

LOT #4

LEGAL DESCRIPTION

A tract of land situated in the SW/4 of the NE/4 of the NW/4 of Section 17, Township 21 North, Range 19 East of the Indian Base and Meridian in Pryor Creek, Mayes County, Oklahoma and more particularly described as follows to-wit:

Commencing at the Northeast Corner of said SW/4 of the NE/4 of the NW/4.

THENCE South 01 degrees 37 minutes 42 seconds East for a distance of 157.50 feet and along the East Line of said SW/4 of the NE/4 of the NW/4 to a point on the North Line of the HIRZEL ADDITION to the City of Pryor Creek;

THENCE South 88 degrees 12 minutes 35 seconds West for a distance of 173.93 feet and along said north line to a point on the centerline of a 10.0 feet sewer line easement filed in Book 272 at Page 501 of the Mayes County Clerks Office and the point of beginning.

THENCE South 88 degrees 12 minutes 35 seconds West for a distance of 73.46 feet and along said north line;

THENCE North 01 degrees 39 minutes 08 seconds West for a distance of 141.25 feet to a point on the South Right-of-Way of State Highway No. 20;

THENCE along a curve to the right having a radius of 2242.53 feet and an arc length of 73.87 feet, being subtended by a chord of South 86 degrees 03 minutes 25 seconds East for a distance of 73.86 feet and along said right-of-way to a point on said centerline of a sewer line easement;

THENCE South 01 degrees 37 minutes 42 seconds East for a distance of 133.87 feet and along said centerline of a sewer line easement to the point of beginning. This legal description was prepared by G. Michael Finnell, P.L.S. #1107, on 9/30/2016.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.2324 acres more or less.

LOT #5

LEGAL DESCRIPTION

A tract of land situated in the SW/4 of the NE/4 of the NW/4 of Section 17, Township 21 North, Range 19 East of the Indian Base and Meridian in Pryor Creek, Mayes County, Oklahoma and more particularly described as follows to-wit:

Beginning at a point on the South Right-of-Way of State Highway No. 20 and the East Line of said SW/4 of the NE/4 of the NW/4, 50.94' feet south of the Northeast Corner thereof.

THENCE South 01 degrees 37 minutes 42 seconds East for a distance of 106.56 feet and along said east line to a point on the North Line of the HIRZEL ADDITION to the City of Pryor Creek;

THENCE South 88 degrees 12 minutes 35 seconds West for a distance of 173.93 feet and along said north line to the centerline of a 10.0' feet sewer line easement filed in Book 272 at Page 501 of the Mayes County Clerks Office;

THENCE North 01 degrees 37 minutes 42 seconds West for a distance of 133.87 feet and along said centerline to a point on said highway right-of-way;

THENCE along a curve to the right having a radius of 2242.53 feet and an arc length of 176.04 feet, being subtended by a chord of South 82 degrees 51 minutes 52 seconds East for a distance of 175.99 feet and along said right-of-way to the point of beginning. This legal description was prepared by G. Michael Finnell, P.L.S. #1107, on 9/30/2016.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.4847 acres more or less.