

**SALLISAW PLANNING COMMISSION
REGULAR MEETING**

November 1, 2022

5:30 P.M.

**Council Chambers
113 North Elm St
Sallisaw, Oklahoma**

A G E N D A

- 1. Meeting Called to Order**
- 2. Declaration of a Quorum**
- 3. Consider Approval of Minutes of Regular Meeting of August 2, 2022**
- 4. Discuss, consider, and take possible action; 2023 regular meeting dates**
- 5. Discuss, consider and take possible action on Case No. PC 2022-09;
Preliminary plat presentation of Sallisaw Acres, an addition to the City of
Sallisaw, by Cherokee Nation Housing Authority**
- 6. Discuss, consider and take possible action on Case No. PC 2022-011;
Preliminary presentation of Drake Prairie Estates, an addition to the City of
Sallisaw; by Richard Mosby and Jimmy Blanton.**
- 7. Discuss, consider and take possible action on Case No. PC 2022-012; Rezoning
request from agriculture (A-1) to residential (R-1) by Richard Mosby and
Jimmy Blanton.**
- 8. Adjourn**

Posted: OCTOBER 27, 2022

Time: 11:45 AM

Lisa Gabbert

MINUTES

SALLISAW PLANNING COMMISSION

REGULAR MEETING

AUGUST 2, 2022

The Sallisaw Planning Commission met in a regular meeting on August 2, 2022, in the Council Chambers, 113 N. Elm Street, Sallisaw. Notice of the meeting was given by emailing to Sequoyah County Times; by posting at city hall August 1, 2022 at 11:45 am; by posting on the city's website; and, by giving notice to the City Clerk.

Members present:	Tim Brown, Ronnie Woodward, Scott Looper, Matt Duke, Brady Bauer	Vice-Chair Member Member Member Member
Members absent:	Joe Valesquez, Crystal Sides,	Chairman Secretary
Staff present:	Keith Miller, Chris Carter, Lisa Gabbert	Building Development Director Senior Code Inspector Recording Secretary
Others present:	Dani Fields JR Donelson Lynn Adams	

Meeting Called to Order

Meeting was called to order at 5:30 pm.

Declaration of a Quorum

Quorum declared present.

Consider Approval of Minutes of Regular Meeting of July 5, 2022

The minutes of regular meeting of July 5, 2022 were presented for approval.

Motion made by Looper, seconded by Bauer, for approval of the minutes as presented.
Vote: Brown aye, Woodward aye, Bauer aye, Duke aye, Looper aye, Motion carried 5-0

Discuss, consider and take possible action on Case No. PC 2022-005; Rezoning request from agriculture (A-1) to residential (R-1) by Barry and Carolyn Spyres and Jimmy Blanton.

Keith Miller said this was the coinciding rezoning of the Drake Praire Estates plat approval from last month's meeting, and was requested for construction of single-family dwellings.
Motion made by Looper, seconded by Woodward, for approval of the rezoning request to change from agriculture (A-1) to residential (R-1)
Vote: Brown aye, Woodward aye, Bauer aye, Duke aye, Looper aye. Motion carried 5-0.

Discuss, consider and take possible action on Case No. PC 2022-07; Preliminary plat presentation of Behavioral Health Center, an addition to the City of Sallisaw, by CREOKS Mental Health Services, Inc.

Chris Carter told the board the Street Superintendent has asked for a 20 ft drainage easement on the North side of the property after reviewing the preliminary plat. Dani Fields with Wallace Design said she would make the changes, and Miller said the changes can be emailed for review.
Motion made by Looper, seconded by Bauer to approve the Behavioral Health Center plat, pending revision of drainage easement.
Vote: Brown aye, Woodward aye, Bauer aye, Duke aye, Looper aye. Motion carries 5-0.

Discuss, consider and take possible action on Case No. PC 2022-09; Preliminary plat presentation of Sallisaw Acres, an addition to the City of Sallisaw, by Cherokee Nation Housing Authority

Building Development presented a staff report with concerns about the Sallisaw Acres plat; including a drainage plan, easements for utilities, road and utility right of ways and dedication if not private, changes to the verbiage of the lots not being for individual sale, the deed of dedication, reference to the Sallisaw Code of Ordinances for maintenance issues, dedicated right of way to JT Stites Road, and the East side of Lot 2 partially landlocked and declared use. JR Donelson, representative for the Cherokee Nation Housing Authority, told the board there was an oversight of the lots being for individual sale, and there was no intent for public roads. Miller recommended, with so many issues, to table plat approval pending clarifications..
Motion was made by Looper, and seconded by Woodward, to table pending changes to Sallisaw Acres plat.
Vote: Brown aye, Woodward aye, Bauer aye, Duke aye, Looper aye. Motion carried 5-0.

Adjourn

Motion made by Duke, seconded by Looper, to adjourn the meeting, there being no further business.

Vote: Brown aye, Wooward aye, Bauer aye, Duke aye, Looper aye. Motion carried 5-0.

Approved this _____ day of _____, _____.

Joe Valesquez, Chairman

ATTEST:

Crystal Side, Secretary

Sallisaw Planning Commission/Board of Adjustment/Airport
Zoning Commission/Local Planning Advisory Committee
Meeting Dates 2023

Tuesday, January 3, 2023

Tuesday, February 7, 2023

Tuesday, March 7, 2023

Tuesday April 4, 2023

Tuesday, May 2, 2023

Tuesday, June 6, 2023

Thursday, July 6, 2022 (July 4th is holiday)

Tuesday, August 1, 2023

Tuesday, September 5, 2023

Tuesday, October 3, 2023

Tuesday, November 7, 2023

Tuesday, December 5, 2023

AGENDA ITEM COMMENTARY

Meeting Date: November 1, 2022
Board: Sallisaw Planning Commission
Subject:

ITEM TITLE: Discuss, consider and take possible action on Case No. PC 2022-09; Preliminary plat presentation of Sallisaw Acres, an addition to the City of Sallisaw, by Cherokee Nation Housing Authority

INITIATOR:

STAFF INFORMATION SOURCE: Building Development

BACKGROUND: Revisiting the presentation of a preliminary plat by JR Donelson for Cherokee Nation of Sallisaw Acres, an addition to the City of Sallisaw, for consideration and approval. The property is located West of JT Stites and Cherokee Ave. The intent is for two and three unit housing. Plat was previously not approved due to issues in staff report.

EXHIBITS:

1. Sallisaw Office Deed
2. PC2022-009 app
3. PC2022-009 plat
4. PC2022-009 drainage
5. PC2022-009 SS
6. PC2022-009 water
7. PC2022-009 Staff Report

KEY ISSUES:

FUNDING SOURCE: N/A

RECOMMENDATION:

STATUTORY FORM

WARRANTY DEED

(INDIVIDUAL FORM)

DOC NUMBER 2001-7493
 Book 929
 Page(s) 209 to 209
 Time 1:12PM
 Fee \$8.00
 10-26-2001
 Donna Jamison
 Sequoyah County Clerk
 RECORDED AND FILED

KNOW TO ALL MEN BY THESE PRESENTS:

THAT

D. A. STAFFORD AND JOANN STAFFORD,
 HUSBAND AND WIFE

parties of the first part, in consideration of the sum of TEN AND NO/100 ----- dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto

THE HOUSING AUTHORITY OF THE CHEROKEE
 NATION OF OKLAHOMA
 1500 HENSLEY DRIVE
 TAHLEQUAH, OKLAHOMA 74465

Party of the second part, the following described real property and premises situated in SEQUOYAH County, State of OKLAHOMA, to wit:

A PART OF GOVERNMENT LOT 1 AND A PART OF THE NW 1/4 SE 1/4 NE 1/4, SECTION 1, TOWNSHIP 11 NORTH, RANGE 23 EAST, SEQUOYAH COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SE CORNER OF SAID GOVERNMENT LOT 1; THENCE S89°55'50"W ALONG SOUTH LINE OF SAID GOVERNMENT LOT 1, A DISTANCE OF 733.42 FEET TO A 3/8" IRON PIN WITH CAP; THENCE S17°23'16"W A DISTANCE OF 90.04 FEET TO A 3/8" IRON PIN WITH CAP; THENCE S34°45'14"W A DISTANCE OF 147.96 FEET TO A 3/8" IRON PIN WITH CAP; THENCE S55°04'25"W A DISTANCE OF 216.20 FEET TO A 3/8" IRON PIN WITH CAP; THENCE N00°00'00"E A DISTANCE OF 916.00 FEET TO A 3/8" IRON PIN WITH CAP, BEING ON THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY #64; THENCE S84°52'56"E ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 969.37 FEET TO A P.K. NAIL; THENCE S01°17'50"E ALONG THE CENTERLINE OF J.T. STITES STREET, A DISTANCE OF 330.87 FEET TO A P.K. NAIL; THENCE S89°55'50"W A DISTANCE OF 38.38 FEET TO A 3/8" IRON PIN WITH CAP; THENCE N72°22'11"W, A DISTANCE OF 159.11 FEET TO A 3/8" IRON PIN WITH CAP; THENCE S64°05'55"W A DISTANCE OF 146.73 FEET TO A 3/8" IRON PIN WITH CAP; THENCE S67°17'46"W A DISTANCE OF 392.85 FEET TO THE POINT OF BEGINNING.

LESS PUBLIC ROAD RIGHTS OF WAY AND SUBJECT TO EASEMENTS OF RECORD.

Together with all the improvements thereon and the appurtenances thereunto belonging and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, their heirs and assigns forever free, clear and discharged of and from all former grants, charges, taxes judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this 26th, day of June, 2001

STATE OF OKLAHOMA
 SEQUOYAH COUNTY
 CLERK OF COURTS, 275²⁵

D. A. STAFFORD

JOANN STAFFORD

STATE OF OKLAHOMA
 COUNTY OF SEQUOYAH

INDIVIDUAL ACKNOWLEDGMENT

Oklahoma Form

Before me, the undersigned, a Notary Public in and for said County and State on this 26th day of June 2001, personally appeared D. A. STAFFORD AND JOANN STAFFORD, who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes set forth.

Given under my hand and seal the day and year last above written.

My commission expires 2003

Jamie McDaniel

NOTARY PUBLIC
 Lot 419



PC2022-009

PLANNING COMMISSION

REQUEST FOR PRELIMINARY PLAT APPROVAL

Application is hereby made to the Planning Commission for consideration of a recommendation to the City Council for

SALLISAW ACRES
General Location WEST OF J.T. STITES ST & W. CHEROKEE AVE
(Street Address)

Present Use of Property VACANT

Proposed Use of Property HOUSING

Record Owner of Property CHEROKEE NATION

If Applicant is other than owner, indicate interest: ☐ purchaser, ☐ lessee,

☒ agent for, CHEROKEE HOUSING AUTHORITY ☐ other _____

Are there any Private or Deed Restrictions controlling the use of this property? WHEN PLATTED

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed [Signature] Address 12820 S. MEMORIAL DR., #100
Phone 918-640-2041 BIXBY, OK 74008

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: _____ Date: 5-25-2022

Present Zoning _____

Application No.: _____ Requested: _____

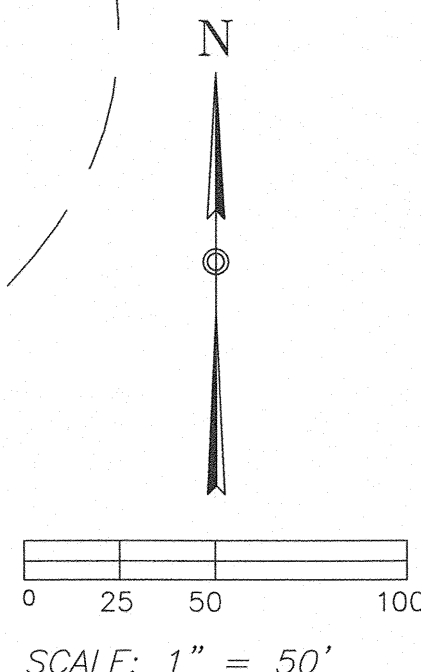
Fee Receipt: 3.060376 P.C. Action _____

City Action: _____ Date: _____

Ordinance No.: _____

CHEROKEE HOUSING AUTHORITY
P.O. BOX 948
TAHLEQUAH, OK. 74465-0948
CONTACT PERSON: DAVID IGERT
PHONE: 918-456-5482

D. GOSS & ASSOCIATES
12347 HEMWOOD HILL RD.
SAPULPA, OK 74066
PHONE: 918 - 371-0096
FAX: 918-224-4530
CONTACT: DANIEL S. GOSS
OKLAHOMA PLS: 1316
C.A. NO. 3932 EXP DATE: 6/30/2023



LEGEND	
B/L	BUILDING LINE
U/E	UTILITY EASEMENT
W/E	WATER LINE EASEMENT
M.H.	MANHOLE
A/O	ACCESS OPENING
TR	TOP OF RIM
FL	FLOWLINE
ELEV	ELEVATION
(LEGAL)	LEGAL DESCRIPTION
(FIELD)	FIELD DIMENSIONS
-520-	EXISTING CONTOURS
⊕	CENTERLINE
NE/4	NORTHEAST QUARTER

FIRM MAP No. 40135C0405F
REVISED DATE: SEPTEMBER 29, 2010
SEQUOYAH COUNTY, OKLAHOMA

1. THIS PLAN MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND SURVEYORS.
2. THE BASIS OF BEARINGS FOR THE SURVEY SHOWN THEREON IS THE OKLAHOMA STATE PLAN COORDINATE SYSTEM NAD '83 (1983) THE EAST LINE OF SECTION 1 BEING: S01°07'29"E. (ASSUMED)
3. 3/8" IRON PINS WERE FOUND TO EXIST OR SET AT PROPERTY CORNERS.

BENCH MARK:
TOP OF RIM OF EXISTING SANITARY SEWER
MANHOLE 'A'.
ELEVATION: 513.38 USC & GS DATUM

AN ADDITION TO THE CITY OF SALLISAW, SITUATED IN PART OF
GOVERNMENT LOT 1, IN THE NE/4 OF SECTION 1, T-11-N,
R-23-E OF THE INDIAN BASE AND MERIDIAN, SEQUOYAH
COUNTY, STATE OF OKLAHOMA.

*FINAL PLAT
CERTIFICATE OF APPROVAL*

I Herby certify that this plat was approved by the City Council of the City of Sallisaw on _____

By: _____

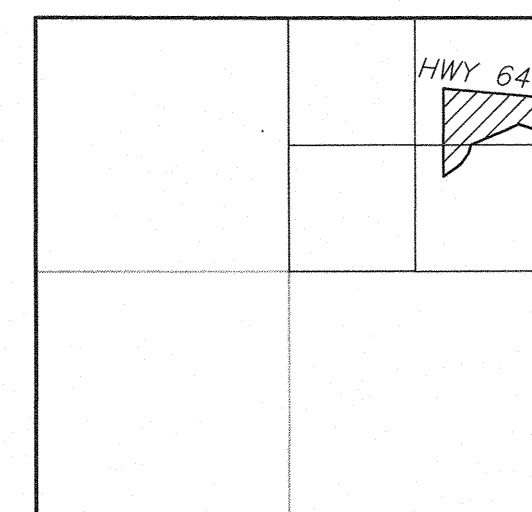
Mayor – Vice Mayor

This approval is void if the above signature is not endorsed by the City Manager or City Clerk.

By: _____

City Manager – City Clerk

R 23 E



SECTION 1
LOCATION MAP

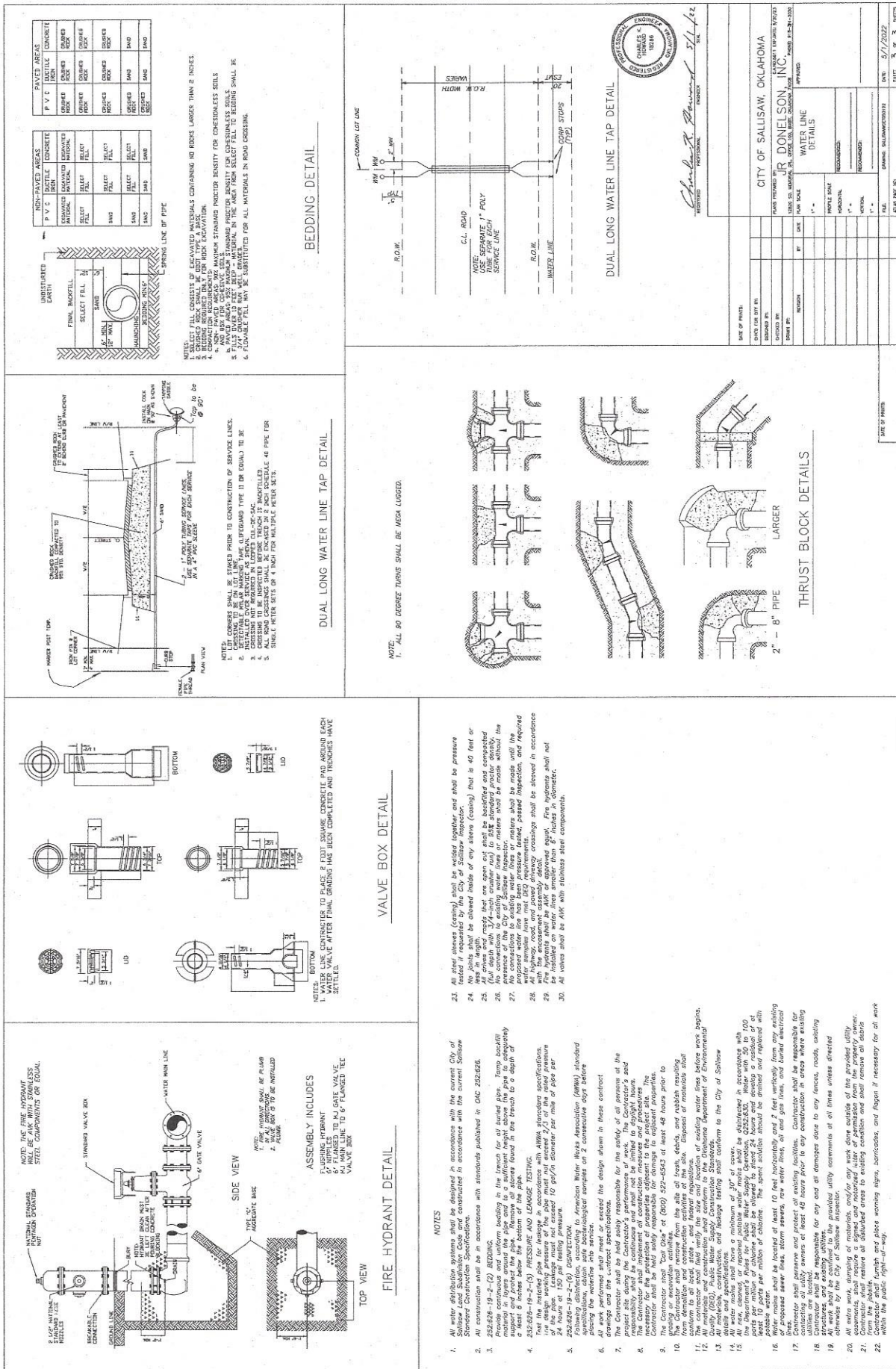
SUBDIVISION CONTAINS:
 Lots 3
 Blocks 1
 Date: 5/1/2022
 C: SallisawFinalPlat05012022

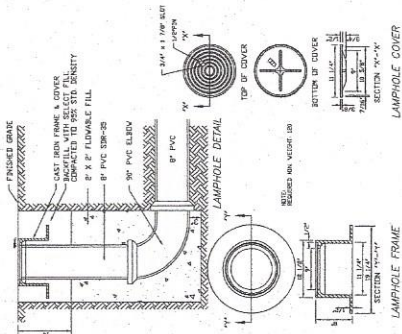
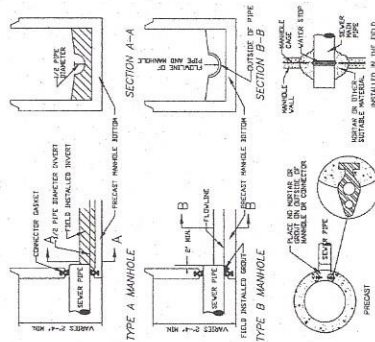
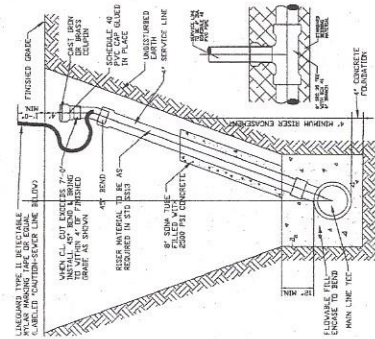
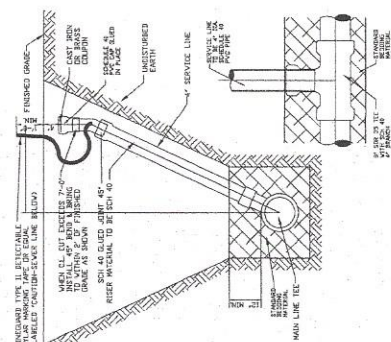
A PART OF GOVERNMENT LOT 1 AND A PART OF THE NW/4 OF THE SE/4 OF THE NE/4 IN SECTION 11 TOWNSHIP 11 NORTH, RANGE 23 EAST, SEQUOYAH COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED, AS FOLLOWS:

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LESS PUBLIC ROAD RIGHTS OF WAY AND SUBJECT TO EASEMENTS OF RECORD.

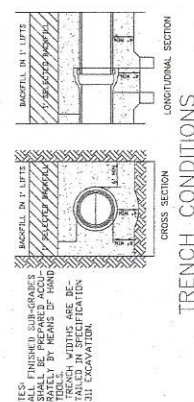
SALLISAW ACRES
DATE OF PREPARATION: May 1, 2022
SHEET 1 OF 3 SHEETS





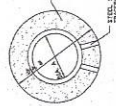
SEWER PIPE REQUIREMENTS	LOCATION/DEPTH	SIZE	PIPE TYPE	NOTES
	8'-12"	8" PIP	C-1000 PVC 20' BELL	Splic. Inverts
	12'-15'	8" PIP	C-1000 PVC 20' BELL	Splic. Inverts
	15'-18'	8" PIP	C-1000 PVC	
	18'-21'	8" PIP	C-1000 PVC 20' BELL	
	21'-24'	8" PIP	C-1000 PVC 20' BELL	
	24'-27'	8" PIP	C-1000 PVC 20' BELL	
	27'-30'	8" PIP	C-1000 PVC 20' BELL	
	30'-33'	8" PIP	C-1000 PVC 20' BELL	
	33'-36'	8" PIP	C-1000 PVC 20' BELL	
	36'-39'	8" PIP	C-1000 PVC 20' BELL	
	39'-42'	8" PIP	C-1000 PVC 20' BELL	
	42'-45'	8" PIP	C-1000 PVC 20' BELL	
	45'-48'	8" PIP	C-1000 PVC 20' BELL	
	48'-51'	8" PIP	C-1000 PVC 20' BELL	
	51'-54'	8" PIP	C-1000 PVC 20' BELL	
	54'-57'	8" PIP	C-1000 PVC 20' BELL	
	57'-60'	8" PIP	C-1000 PVC 20' BELL	
	60'-63'	8" PIP	C-1000 PVC 20' BELL	
	63'-66'	8" PIP	C-1000 PVC 20' BELL	
	66'-69'	8" PIP	C-1000 PVC 20' BELL	
	69'-72'	8" PIP	C-1000 PVC 20' BELL	
	72'-75'	8" PIP	C-1000 PVC 20' BELL	
	75'-78'	8" PIP	C-1000 PVC 20' BELL	
	78'-81'	8" PIP	C-1000 PVC 20' BELL	
	81'-84'	8" PIP	C-1000 PVC 20' BELL	
	84'-87'	8" PIP	C-1000 PVC 20' BELL	
	87'-90'	8" PIP	C-1000 PVC 20' BELL	
	90'-93'	8" PIP	C-1000 PVC 20' BELL	
	93'-96'	8" PIP	C-1000 PVC 20' BELL	
	96'-99'	8" PIP	C-1000 PVC 20' BELL	
	99'-102'	8" PIP	C-1000 PVC 20' BELL	
	102'-105'	8" PIP	C-1000 PVC 20' BELL	
	105'-108'	8" PIP	C-1000 PVC 20' BELL	
	108'-111'	8" PIP	C-1000 PVC 20' BELL	
	111'-114'	8" PIP	C-1000 PVC 20' BELL	
	114'-117'	8" PIP	C-1000 PVC 20' BELL	
	117'-120'	8" PIP	C-1000 PVC 20' BELL	
	120'-123'	8" PIP	C-1000 PVC 20' BELL	
	123'-126'	8" PIP	C-1000 PVC 20' BELL	
	126'-129'	8" PIP	C-1000 PVC 20' BELL	
	129'-132'	8" PIP	C-1000 PVC 20' BELL	
	132'-135'	8" PIP	C-1000 PVC 20' BELL	
	135'-138'	8" PIP	C-1000 PVC 20' BELL	
	138'-141'	8" PIP	C-1000 PVC 20' BELL	
	141'-144'	8" PIP	C-1000 PVC 20' BELL	
	144'-147'	8" PIP	C-1000 PVC 20' BELL	
	147'-150'	8" PIP	C-1000 PVC 20' BELL	
	150'-153'	8" PIP	C-1000 PVC 20' BELL	
	153'-156'	8" PIP	C-1000 PVC 20' BELL	
	156'-159'	8" PIP	C-1000 PVC 20' BELL	
	159'-162'	8" PIP	C-1000 PVC 20' BELL	
	162'-165'	8" PIP	C-1000 PVC 20' BELL	
	165'-168'	8" PIP	C-1000 PVC 20' BELL	
	168'-171'	8" PIP	C-1000 PVC 20' BELL	
	171'-174'	8" PIP	C-1000 PVC 20' BELL	
	174'-177'	8" PIP	C-1000 PVC 20' BELL	
	177'-180'	8" PIP	C-1000 PVC 20' BELL	
	180'-183'	8" PIP	C-1000 PVC 20' BELL	
	183'-186'	8" PIP	C-1000 PVC 20' BELL	
	186'-189'	8" PIP	C-1000 PVC 20' BELL	
	189'-192'	8" PIP	C-1000 PVC 20' BELL	
	192'-195'	8" PIP	C-1000 PVC 20' BELL	
	195'-198'	8" PIP	C-1000 PVC 20' BELL	
	198'-201'	8" PIP	C-1000 PVC 20' BELL	
	201'-204'	8" PIP	C-1000 PVC 20' BELL	
	204'-207'	8" PIP	C-1000 PVC 20' BELL	
	207'-210'	8" PIP	C-1000 PVC 20' BELL	
	210'-213'	8" PIP	C-1000 PVC 20' BELL	
	213'-216'	8" PIP	C-1000 PVC 20' BELL	
	216'-219'	8" PIP	C-1000 PVC 20' BELL	
	219'-222'	8" PIP	C-1000 PVC 20' BELL	
	222'-225'	8" PIP	C-1000 PVC 20' BELL	
	225'-228'	8" PIP	C-1000 PVC 20' BELL	
	228'-231'	8" PIP	C-1000 PVC 20' BELL	
	231'-234'	8" PIP	C-1000 PVC 20' BELL	
	234'-237'	8" PIP	C-1000 PVC 20' BELL	
	237'-240'	8" PIP	C-1000 PVC 20' BELL	
	240'-243'	8" PIP	C-1000 PVC 20' BELL	
	243'-246'	8" PIP	C-1000 PVC	

NOTES:
1) Ultra-Rib Pipe can be substituted for STD 36 on sizes 15" or larger

[illegible]

SANITARY SEWER TRENCH CONDITIONS
STANDARD DRAWING 5TD SS 21

STANDARD DRAWING STD SS 13

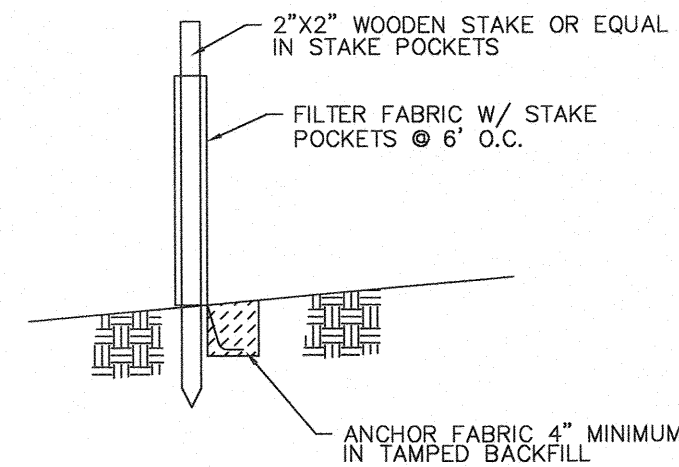


RAILROAD & STREET CROSSING CONDUIT DETAIL
STANDARD DRAWING STD. W 10

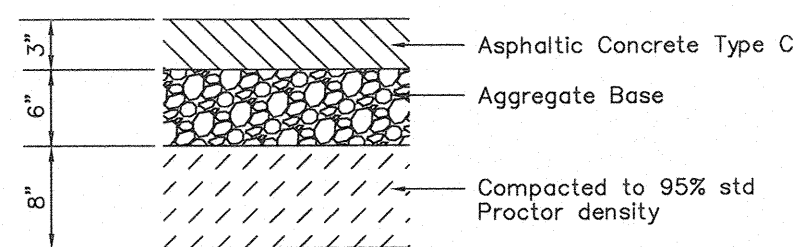


Charles K. Hannum 3/21/22

[illegible]



SILT FENCE DETAIL



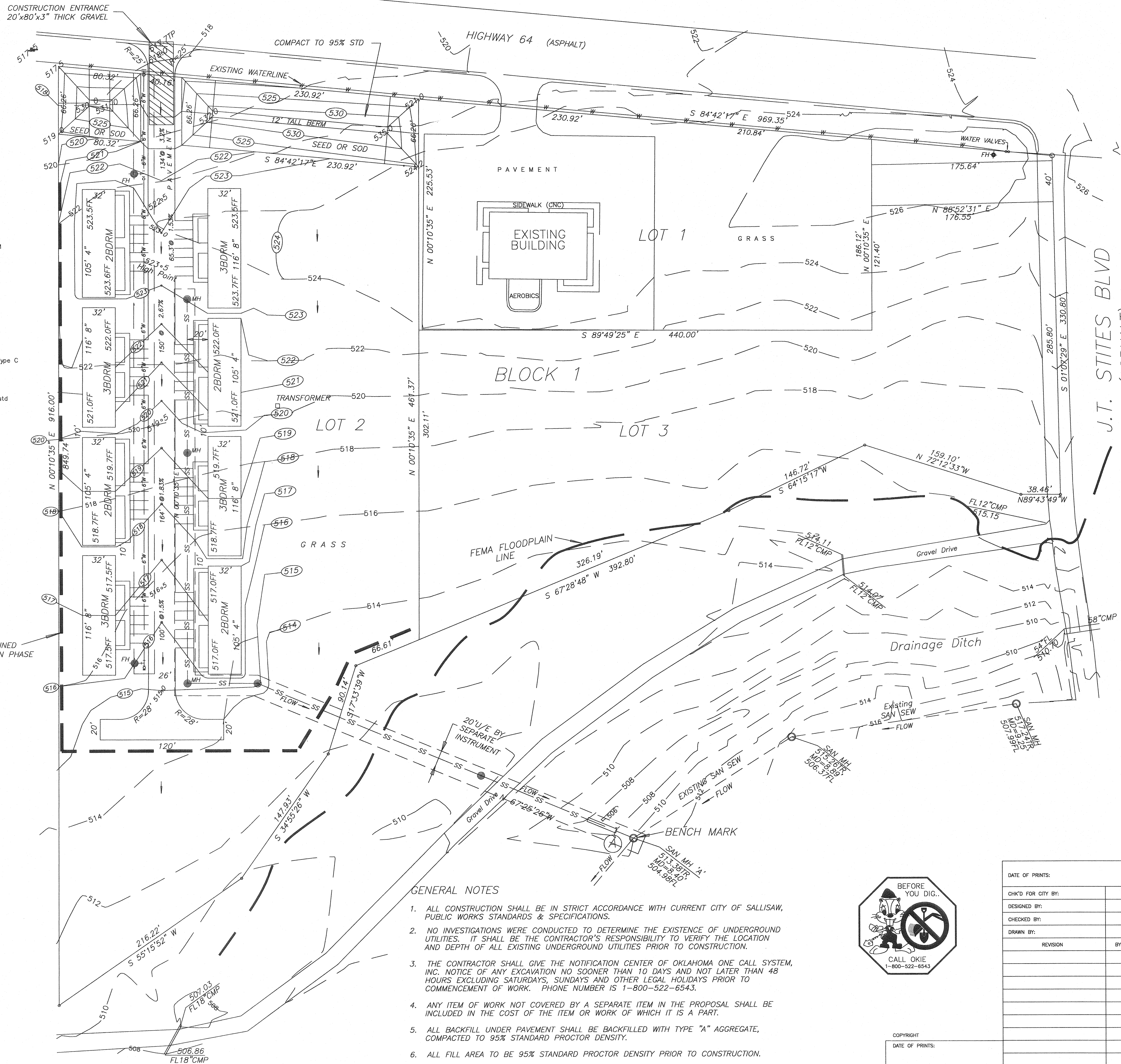
LIGHT DUTY ASPHALT

NOTE:
1. THE ROAD IS PRIVATE.
2. NO GRADING WILL BE DONE IN THE FEMA FLOODPLAIN.

SILT FENCE TO BE MAINTAINED DURING THE CONSTRUCTION PHASE

LEGEND	
2BDRM	2 BEDROOM
3BDRM	3 BEDROOM
M.H.	MANHOLE
San Sew	SANITARY SEWER
FH	FIRE HYDRANT
6" WL	6" WATERLINE
W	WATERLINE
TR	TOP OF RIM
FL	FLOWLINE
D.I.P.	DUCTILE IRON PIPE
FF	FINISH FLOOR
CMP	CORRUGATED METAL PIPE
516	FINISH CONTOUR LINE
FLOW	FLOW DIRECTION

BENCH MARK:
TOP OF RIM OF EXISTING SANITARY SEWER
MANHOLE 'A'.
ELEVATION: 513.38 USC & GS DATUM

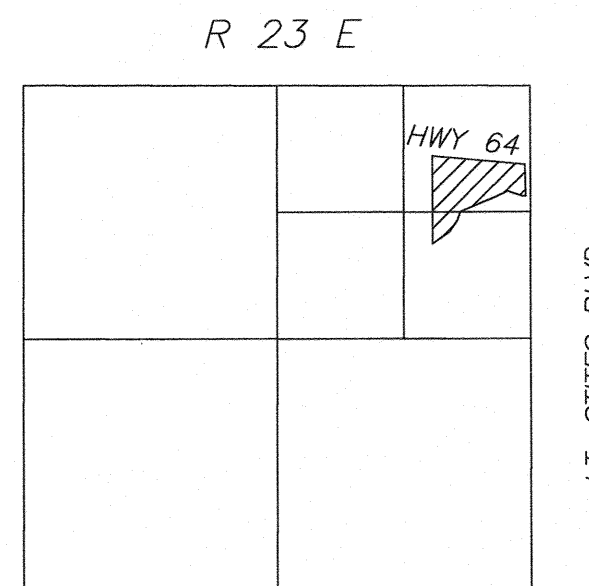
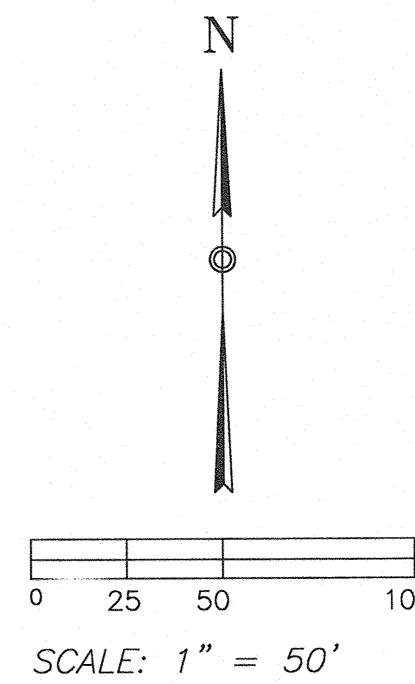


GENERAL NOTES

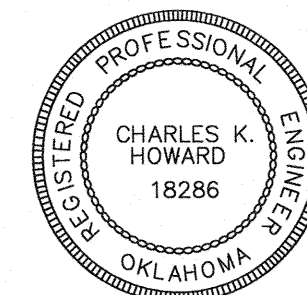
- ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH CURRENT CITY OF SALLISAW, PUBLIC WORKS STANDARDS & SPECIFICATIONS.
- NO INVESTIGATIONS WERE CONDUCTED TO DETERMINE THE EXISTENCE OF UNDERGROUND UTILITIES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL GIVE THE NOTIFICATION CENTER OF OKLAHOMA ONE CALL SYSTEM, INC. NOTICE OF ANY EXCAVATION NO SOONER THAN 10 DAYS AND NOT LATER THAN 48 HOURS EXCLUDING SATURDAYS, SUNDAYS AND OTHER LEGAL HOLIDAYS PRIOR TO COMMENCEMENT OF WORK. PHONE NUMBER IS 1-800-522-6543.
- ANY ITEM OF WORK NOT COVERED BY A SEPARATE ITEM IN THE PROPOSAL SHALL BE INCLUDED IN THE COST OF THE ITEM OR WORK OF WHICH IT IS A PART.
- ALL BACKFILL UNDER PAVEMENT SHALL BE BACKFILLED WITH TYPE "A" AGGREGATE, COMPACTED TO 95% STANDARD PROCTOR DENSITY.
- ALL FILL AREA TO BE 95% STANDARD PROCTOR DENSITY PRIOR TO CONSTRUCTION.



COPYRIGHT
DATE OF PRINTS:



SECTION 1
LOCATION MAP



Charles K. Howard 3/1/22
REGISTERED PROFESSIONAL ENGINEER SEAL

DATE OF PRINTS:		THE HOUSING AUTHORITY OF THE CHEROKEE NATION	
CHK'D FOR CITY BY:		CITY OF SALLISAW, OK.	
DESIGNED BY:		PLANS & ESTIMATES PREPARED BY: JR DONELSON, INC. CA. NO. 5611 EXP. DATE: 6/30/23	
CHECKED BY:		12820 SO MEMORIAL DR., OFFICE 100, BIXBY, OKLAHOMA 74008 918-394-3030	
DRAWN BY:		PLAN SCALE	APPROVED:
REVISION	BY	DATE	
		1" = 50'	
		PROFILE SCALE	
		HORIZONTAL	RECOMMENDED:
		1" =	
		VERTICAL	RECOMMENDED:
		1" =	
		FILE:	DRAWING: GOSS\11766-OFFICE GRADING DATE: 3/1/2022
		ATLAS PAGE NO:	SHEET 1 OF 1 SHEETS

STAFF REPORT

Sallisaw Planning and Zoning Board

August 2, 2022

ITEM

PC2022-009 Preliminary Plat of Sallisaw Acres

Request: Approval of preliminary layout

Staff Narrative: After review by staff and the city attorney, the following needs to be addressed by the developer and the owner's agent.

Property History

This property has been utilized by the Housing Authority in the past as a maintenance building. It is being repurposed for housing use.

Impact Potential

As with any use, there are positive and/or negative considerations.

- Drainage is always a concern with the increased flow of water from impervious surfaces and roof run-off.
- There are no utilities to this location so all will have to be extended to this location. Some will require the acquisition of private easements dedicated to the City.

Resources

HACN funds (private)

City Staff analysis and recommendation

Streets

1. There will need to be a drainage plan developed. This subdivision will need private drainage easements acquired and dedicated to the City of Sallisaw to allow for access to the drainage structure located to the South of this location.
2. Streets appear to be private, but verbiage in the restrictive convenience state the property can be sold. If so Additional lot sizes and street dedication will need to be done.
3. Lot 3: 30 feet of road right of way will need to be dedicated to JT Stites Road.

Sewer

1. Sewer Utility easements crossing private adjacent property shall be dedicated to the City. The HACN shall acquire the easements from the adjacent property owner for access to the public sewer located to the South of this location.
2. Sewer utility design is sufficient, unless lot 2 changes.

Water

1. Water utility design is sufficient, unless lot 2 changes.

Electric

1. Electric is to be placed on the front street. Electric will need additional easement for separation of utilities along the right-of-way.

Fiber

1. Will utilize the Electric easement.

City Attorney

1. The deed of dedication must refer to the dedication of easements and streets to the City of Sallisaw. If need be, City Attorney can provide proper language.
2. The deed of dedication refers to the plat as "An Addition to Sequoyah County" this needs to be changed to reference "City of Sallisaw" as well as other location within the plat.
4. The 10 items in the deed of dedication are a restrictive convenience and will need to be labeled as such.
5. A reference to the Sallisaw Code of Ordinance to coincide and operate in tandem with the restrictive convenience.
6. The use of City Council and Planning Commission verbiage will need to be replaced with that of the approved City Attorney formatting.
7. Item 7 refers to the possible sale of these properties. The preliminary subdivision is not laid out for the sale of individual lots. The lots will need to be modified if this is the intent. They will need to be laid out in a fashion that meets the Sallisaw Code of Ordinances and future rezoning of the property.
8. If individual sale is the plan, the street and turnaround tee must be built and dedicated to the City of Sallisaw.
9. Part of Lot 2 will become land locked and potentially not usable. What is the intended use of this piece of property?

AGENDA ITEM COMMENTARY

Meeting Date: November 1, 2022
Board: Sallisaw Planning Commission
Subject: Request for replat

ITEM TITLE: Discuss, consider and take possible action on Case No. PC 2022-011; Preliminary presentation of Drake Prairie Estates, an addition to the City of Sallisaw; by Richard Mosby and Jimmy Blanton.

INITIATOR: Kelly Osburn, agent

STAFF INFORMATION SOURCE: Building Development

BACKGROUND: Kelly Osburn, agent for Richard Mosby and Jimmy Blanton, will present a preliminary plat of Drake Prairie Estates, an addition to the City of Sallisaw, for consideration and approval. The property is located on West Drake Road. The intent is for single-family dwellings. This plat was presented previously and is presented again due to the timing of the exchange of property between Barry and Carolyn Spyres to Richard Mosby.

EXHIBITS:

1. PC2022-011 app plat
2. PC2022-011 Plat
3. Sequoyah (watermarked) - Book 001512, Page 0658 84745398
4. Sequoyah (watermarked) - Book 001610, Page 0821 92773901

KEY ISSUES: None.

FUNDING SOURCE: N/A

RECOMMENDATION: Approval

PC2022-011

PLANNING COMMISSION

REQUEST FOR PLAT APPROVAL

Application is hereby made to the Planning Commission for the consideration of a recommendation to the City Council for

General Location Drake Road
(Street Address)

Present Use of Property Vacant Lg.

Proposed Use of Property Residential Subdivision

Record Owner of Property Richard Masley & Jimmy Blanton

If Applicant is other than owner, indicate interest: ☐ purchaser, ☐ lessee,

☒ agent for, Galum Land Survey ☐ Other _____

Are there any Private or Deed Restrictions controlling the use of this property? _____

I do hereby certify that the information herein submitted is complete true and accurate

Signed Sherry Osburn Address 3615 W. Cherokee

Phone 918-715-9322 Gallison, OK

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application received by: _____ Date: _____

Fee Receipt: _____ Present Zoning: _____

Application No.: _____ Requested: _____

PC Action: _____ Date: _____

City Action: _____ Date: _____

Ordinance No.: _____

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That we Richard & Lodonna Mosby, and Jimmy Blanton, being the sole owners of the fee simple and to the following described real estate situated in the County of Sequoyah, State of Oklahoma, to-wit:

A 31.07-acre parcel of land, more or less, less public road right of ways and being subject to any easements of record, being situated in a part of the S/2 S/2 SE/4 of Section 12, Township 11 North, Range 23 East of the Indian Base and Meridian Sequoyah County, Oklahoma. The described parcel being created by Kelly Osburn, Oklahoma PLS #1528 on June 6, 2022. The basis of bearing for the described parcel is N89°54'43"W along the South line of the SE/4 of said Section 12 and is more particularly described as:

Commencing at an 000T brass cap marking the SE corner of said S/2 S/2 SE/4; Thence along the south line thereof, N89°54'43"W 50.00 Feet to a magnail w/shiner for the point of beginning; Thence continuing along said South line N89°54'43"W 2583.17 Feet to an existing #4 rebar marking the line SW corner of said S/2 S/2 SE/4; Thence N00°07'09"E 521.78 Feet to a #3 rebar w/cap; Thence S89°54'43"E 2583.13 Feet to an existing #3 rebar w/cap; Thence S00°08'53"W 521.78 Feet to the point of beginning.

have caused the same to be surveyed, staked and plotted into Lots and have caused the same to be named and designated "Drake Prairie Estates", on addition to the City of Sallisaw, Oklahoma. We hereby dedicate to the City of Sallisaw, its successors and assigns, all easements and streets as shown on this plat and do hereby guarantee clear title to oil land that is dedicated for the purpose of providing an orderly development of the entire tract.

owner—Richard Mosby

owner—Lodonna Mosby

owner—Jimmy Blanton

STATE OF OKLAHOMA

COUNTY OF SEQUOYAH

SS

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2022, personally appeared Richard & Lodonna Mosby, and Jimmy Blanton to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year first above written.

Notary

My Commission Expires:

(SEAL)

APPROVAL OF PLAT

The Board of Commissioners of the City of Sallisaw, Oklahoma hereby approve this plat of Drake Prairie Estates, on addition to the City of Sallisaw, Oklahoma, and accept all streets and easements shown therein.

Dated this _____ day of _____, 2022.

CITY OF SALLISAW

MAYOR _____

ATTEST:

CITY CLERK _____

(SEAL)

The Planning Commission of the City of Sallisaw, Oklahoma recommends approval of this plat "Drake Prairie Estates", on addition to the City of Sallisaw, Oklahoma and the streets and easements as shown therein.

Recommended Approval on _____ day of _____, 2022

CHAIRMAN _____

SECRETARY _____

I certify that I have approved application and plan development which is for the use of Public water system.

Oklahoma Department of Environmental Quality hereby approve this plat for the use of Public water system and Private sewage system.

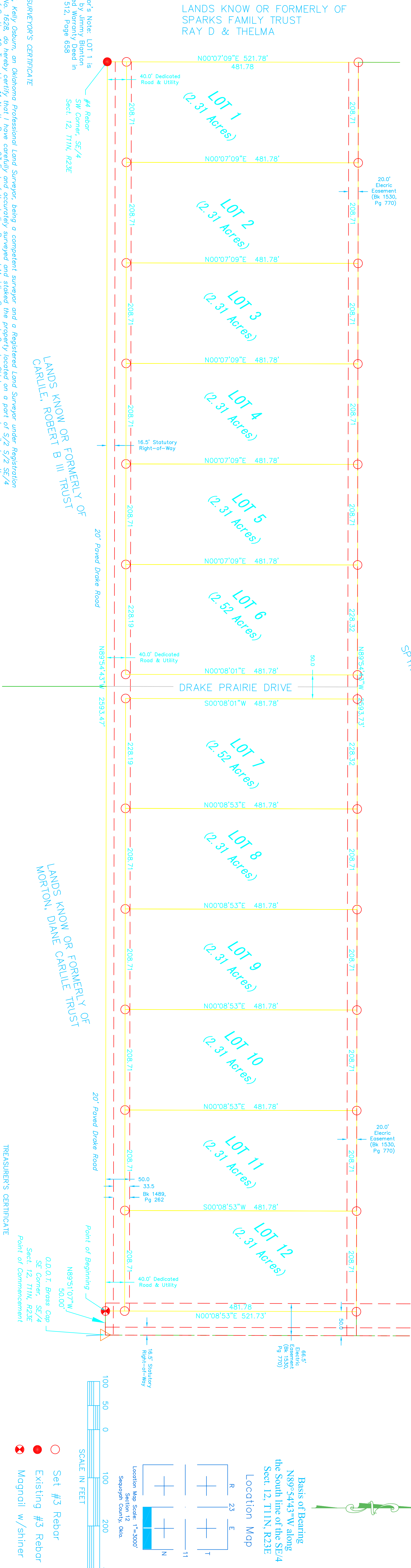
Note: Once plat approval has been obtained from the Department of Environmental Quality, no major soil modification may occur in an area designated for septic system approval.

Restrictions to approval:

Date:

Signed Environmental Specialist

Environmental Specialist Oklahoma Department of Environmental Quality ODEQ



Surveyor's Note: LOT 1 is Owned by Jimmy Blanton per filed Warranty Deed in Book 1512, Page 638

#4 Rebar SW Corner, SE/4 Sect. 12, T11N, R23E

LANDS KNOW OR FORMERLY OF CARLLE, ROBERT B III TRUST

LANDS KNOW OR FORMERLY OF MORTON, DIANE CARLLE TRUST

Point of Beginning N89°51°07"W 50.00'

0.00.1, Brass Cap SE Corner, SE/4 Sect. 12, T11N, R23E Point of Commencement

TREASURER'S CERTIFICATE

I, Angela Gist, as Treasurer of Sequoyah County, Oklahoma, do hereby certify that all taxes on the property hereon platted and described have been paid or cash bond placed to secure the same.

Dated the _____ day of _____, 2022.

Witness my hand this _____ day of _____, 2022.

Kelly Osburn, P.L.S.

STATE OF OKLAHOMA

COUNTY OF SEQUOYAH

SS

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2022, personally appeared Kelly Osburn, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year first above written.

Notary

My Commission Expires:

(SEAL)

Drake Prairie Estates

In addition to the City of Sallisaw, being a part of the S/2 S/2 SE/4 of Section 12, Township 11 North, Range 23 East, Sequoyah County, Oklahoma.

Date: SEPTEMBER 2022 Scale: 1"=100'

Owner/Developer: Richard & Lodonna Mosby, Jimmy Blanton

Osburn Land Surveyors, Inc.

3615 West Cherokee P.O. Box 1406

Sallisaw, OK 74955

Office - (918) 775-9322

COUNTY TREASURER

NOTES:

1. Valley Land Title Company has conducted a search of easements and other right of ways on a parcel of land in the S/2 S/2 SE/4 of Section 12, Township 11 North, Range 23 East, Sequoyah County Oklahoma. Job #2022-0283. Conveyance Book 568, Page 476 Rural Water District #1 conveys to the City of Sallisaw. No specific location.

Book 1271, Page 431 is a Vesting deed conveying property unto Barry and Carolyn Spyes

Book 1489, Page 262 is a Water line easement in favor of Rural Water District #4 and is shown.

Book 1507, Page 721 is Sallisaw City Ordinance No. 2019-18 Amending the S/2 NE/4 and the SE/4 of Section 12, Township 11 North, Range 23 East, Sequoyah County Oklahoma.

Book 1512, Page 638 is a Warranty Deed on part of the property to Jimmy Blanton and has been shown and labeled as Lot 1.

Book 1530, Page 16 is an affidavit of municipal code of the City of Sallisaw.

Book 1530, Page 770 is an electric easement in favor of the City of Sallisaw and is shown.

Book 1610, Page 821 is a Warranty Deed conveying part of the property to Richard and Lodonna Mosby.

Any easements affecting this property that are unrecorded or implied which may exist prior to the filing of this plat have not been shown.

The Section line passing through this plat is subject to a 33.0' statutory right-of-way (16.5' on each side) as created by Volume 32, U.S. Statutes at Large, Page 722.

All Lot measurements are to Lot Corners.



Location Map Scale: 1"=3000'

Sequoyah County, Okla.

Location Map

Basis of Bearing N89°54'43"W along the South line of the SE/4 Sect. 12, T11N, R23E

Location Map

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Documentary Stamp Tax 45.00
Exemption No. _____
Date 12/24/19 Purchase Price 30,000.00
Claimant Signature _____
P.O. Box 2536
Sallisaw, OK 74955

I-2019-008083 Book 1512 Pg: 658
12/27/2019 11:37 am Pg 0658-0658
Fee: \$ 18.00 Doc: \$ 45.00
Julie Haywood - Sequoyah County Clerk
State of Oklahoma

WARRANTY DEED
(Oklahoma Statutory Form)

That **BARRY SPYRES and CAROLYN SPYRES, HUSBAND AND WIFE**, Party of the first part, in consideration of the sum of TEN AND NO/100THS DOLLARS (\$10.00) and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto **JIMMY BLANTON**, party of the second part, the following described real property and premises situate in Sequoyah County, State of Oklahoma, to-wit:

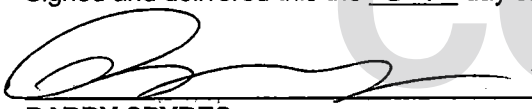
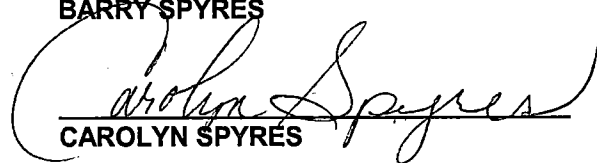
PART OF THE W/2 SE/4 OF SECTION 12, TOWNSHIP 11 NORTH, RANGE 23 EAST OF THE INDIAN BASE AND MERIDIAN, SEQUOYAH COUNTY, OKLAHOMA. THE DESCRIBED PARCEL BEING CREATED BY KELLY OSBURN, OKLAHOMA P.L.S. #1628 ON OCTOBER 11, 2018. THE BASIS OF BEARING FOR THE DESCRIBED PARCEL IS N89°54'43"W ALONG THE SOUTH LINE OF THE SE/4 OF SAID SECTION 12 AND IS MORE PARTICULARLY DESCRIBED AS: BEGINNING AT AN EXISTING #4 REBAR MARKING THE SW CORNER OF SAID W/2 SE/4; THENCE ALONG THE WEST LINE THEREOF N00°07'09"E 521.78 FEET TO A SET #3 REBAR W/CAP; THENCE S89°54'43"E 208.71 FEET TO A SET #3 REBAR W/CAP; THENCE S00°07'09"W 521.78 FEET TO A SET MAGNAIL W/SHINER ON THE SOUTH LINE OF SAID W/2 SE/4; THENCE ALONG THE SOUTH LINE N89°54'43"W 208.71 FEET TO THE POINT OF BEGINNING.

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said part of the second part, heirs and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

EXCEPT covenants, conditions, easements and restrictions of record.

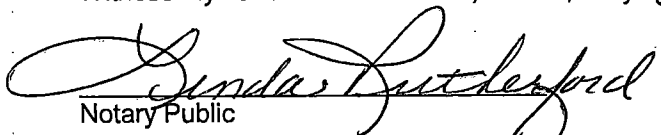
Signed and delivered this the 24 day of December 2019.


BARRY SPYRES

CAROLYN SPYRES

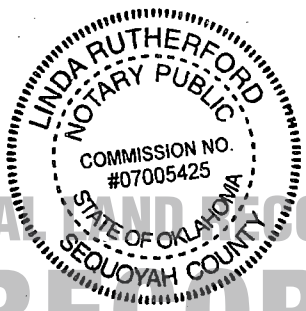
STATE OF OKLAHOMA
COUNTY OF SEQUOYAH

I, Linda Rutherford, a Notary Public in and for the said County and State, do hereby certify that BARRY SPYRES and CAROLYN SPYRES, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this 24 day of December, 2019.


Notary Public

My Commission Expires: 06/05/2023



Presented for filing by:
Linda McClanahan
Valley Land Title Company
File No. 2019-0920

(SEAL) **VIEW ADDITIONAL RECORDS AT**
OKCOUNTYRECORDS.COM

Documentary Stamp Tax 450.00
Exemption No. _____
Date 6/16/22 Purchase Price 300,000.00
Claimant Signature _____
ID3689 S 4666 Loop
Sallisaw, OK 74955

2022-004588 Book 1610 Pg: 821
06/17/2022 2:13 pm Pg 0821-0821
Fee: \$ 18.00 Doc: \$ 450.00
Julie Haywood - Sequoyah County Clerk
State of Oklahoma

JOINT TENANCY WARRANTY DEED

That, **BARRY SPYRES and CAROLYN SPYRES, HUSBAND AND WIFE**, Party of the first part, in consideration of the sum of NO DOLLARS AND NO/100 Dollars (\$0.00) and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto **RICHARD MOSBY and LADONNA MOSBY**, as joint tenants and not as tenants in common, with right of survivorship, the whole estate to vest in the survivor, parties of the second part, the following described real property and premises situate in Sequoyah County, State of Oklahoma, to-wit:

A PART OF THE S/2 S/2 SE/4 OF SECTION 12, TOWNSHIP 11 NORTH, RANGE 23 EAST OF THE INDIAN BASE AND MERIDIAN SEQUOYAH COUNTY, OKLAHOMA. THE DESCRIBED PARCEL BEING CREATED BY KELLY OSBURN, OKLAHOMA PLS #1628 ON JUNE 6, 2022. THE BASIS OF BEARING FOR THE DESCRIBED PARCEL IS N89°54'43"W ALONG THE SOUTH LINE OF THE SE/4 OF SAID SECTION 12 AND IS MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT AN ODOT BRASS CAP MARKING THE SE CORNER OF SAID S/2 S/2 SE/4; THENCE ALONG THE SOUTH LINE THEREOF, N89°54'43"W 50.00 FEET TO A MAGNAIL W/SHINER FOR THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE N89°54'43"W 2593.47 FEET TO AN EXISTING #4 REBAR MARKING THE SW CORNER OF SAID S/2 S/2 SE/4; THENCE ALONG THE WEST LINE THEREOF N00°07'09"E 521.78 FEET TO A #3 REBAR W/CAP; THENCE S89°54'43"E 2593.73 FEET TO AN EXISTING #3 REBAR W/CAP; THENCE S00°08'53"W 521.73 FEET TO THE POINT OF BEGINNING. AKA THE PROPOSED "DRAKE PRAIRIE ESTATES," AN ADDITION TO THE CITY OF SALLISAW, OKLAHOMA.

LESS

A PART OF THE W/2 SE/4 BEGINNING AT THE SW CORNER THEREOF; THENCE N00°07'09"E 521.78 FEET, THENCE S89°54'43"E 208.71 FEET; THENCE S00°07'09"W 521.78 FEET; THENCE N89°54'43"W 208.71 FEET TO THE POINT OF BEGINNING. AKA LOT 1 OF THE PROPOSED "DRAKE PRAIRIE ESTATES", AN ADDITION TO THE CITY OF SALLISAW, OKLAHOMA.

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as such joint tenants, and to the heirs and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

EXCEPT covenants, conditions, easements, and restrictions of record.

Signed and delivered this 16 day of June, 2022.

BARRY SPYRES
BARRY SPYRES

CAROLYN SPYRES
CAROLYN SPYRES

STATE OF OKLAHOMA

COUNTY OF SEQUOYAH

I, LINDA RUTHERFORD, a Notary Public in and for the said County and State, do hereby certify that BARRY SPYRES and CAROLYN SPYRES, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this 16 day of June, 2022.

Linda Rutherford
Notary Public
My Commission Expires 06/05/2023
COMMISSION NO. #07005425
(SEAL) STATE OF OKLAHOMA
SEQUOYAH COUNTY

Deed Presented for Filing By: Valley Land Title Company, Inc.
File No.: 2022-0418
Name of Title Insurer: Fidelity National Title Insurance Company

AGENDA ITEM COMMENTARY

Meeting Date: November 1, 2022
Board: Sallisaw Planning Commission
Subject:

ITEM TITLE: Discuss, consider and take possible action on Case No. PC 2022-012; Rezoning request from agriculture (A-1) to residential (R-1) by Richard Mosby and Jimmy Blanton.

INITIATOR: Osburn Land Surveyors, LLC

STAFF INFORMATION SOURCE: Building Development

BACKGROUND: Osburn Land Surveyors LLC, agent for Richard Mosby and Jimmy Blanton has requested rezoning from agriculture (A-1) to Residential (R-1). The property is located on West Drake Road. The intent for single family dwellings.

EXHIBITS:

1. PC2022-012 app rezone
2. Notice of Hearing - Case No. PC 2022-012
3. PC2022-012 DPE Blanton-Mosby pub_map

KEY ISSUES: None.

FUNDING SOURCE: N/A

RECOMMENDATION: Approval

PC2022-012

PLANNING COMMISSION
REQUEST TO REZONE

Application is hereby made to the Planning Commission for a recommendation to the City Council for rezoning of the following described property to a District Residential R-1

General Location West Drake

(Street Address)

Present Use of Property Vacant Ag.

Proposed Use of Property Residential

Record Owner of Property Richard Mosby & Jimmy Blanton

If Applicant is other than owner, indicate interest: ☐ purchaser, ☐ lessee,

☒ agent for Osborn Law Lawyers ☐ other _____

Are there any Private or Deed Restrictions controlling the use of this property? _____

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed Sherry Osborn

Address 3615 W. Cherokee

Phone 918-775-9322

Salina, OK

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: _____ Date _____

Application No.: _____ Requested: _____

Fee: _____ P.C Recommendation: Approval _ Denial _

Receipt: _____ Date: _____

City Commission: Approval _____ Denial _____

Date: _____

Ordinance No.: _____

NOTICE OF PUBLIC HEARING **ON APPLICATION FOR REZONING**

Notice is hereby given that the undersigned, as owner(s) or agent for the owner(s) of the following described property in the Sallisaw City Limits, Sequoyah County, **Oklahoma, to wit:**

A 31.07-acre parcel of land, more or less, less public road right of ways and being subject to any easements of record, being situated in a part of the S/2 S/2 SE/4 of Section 12, Township 11 North, Range 23 East of the Indian Base and Meridian Sequoyah County, Oklahoma. The described parcel being created by Kelly Osburn, Oklahoma PLS #1628 on June 6, 2022. The basis of bearing for the described parcel is N89°54'43"W along the South line of the SE/4 of said Section 12 and is more particularly described as:

Commencing at an ODOT brass cap marking the SE corner of said S/2 S/2 SE/4; Thence along the south line thereof, N89°54'43"W 50.00 Feet to a magnail w/shiner for the point of beginning; Thence continuing along said South line N89°54'43"W 2593.47 Feet to an existing #4 rebar marking the the SW corner of said S/2 S/2 SE/4; Thence along the West line thereof N00°07'09"E 521.78 Feet to a #3 rebar w/cap; Thence S89°54'43"E 2593.73 Feet to an existing #3 rebar w/cap; Thence S00°08'53"W 521.73 Feet to the point of beginning.

has filed with the Sallisaw Planning Commission a written application # **PC 2022-0012** pursuant to the Zoning Ordinance as adopted by the City of Sallisaw, Oklahoma, to **rezone from agriculture (A-1) to residential (R-1)**

The undersigned will present said application to the Sallisaw Planning Commission on **November 1, 2022**, at **113 N. Elm, beginning at 5:30 pm**, at which time the Sallisaw Planning Commission will conduct a public hearing on said application. All interested persons are entitled to be heard and are invited to attend. Notice is published this 7th day of October, 2022.

By: **Richard Mosby and Jimmy Blanton**
Owner(s)

or By: **Osburn Land Surveyors, LLC**
Agent

By: **Crystal Sides**
Secretary, Sallisaw Planning Commission

Bill To:
Osburn Land Surveyors, LLC
P.O. Box 1406
Sallisaw, OK 74955

