



P.O. BOX 850 | COWETA, OKLAHOMA 74429 | PH. (918) 486-2189 | FAX (918) 486-5366 | www.cityofcoweta-ok.gov

**AGENDA - REGULAR MEETING
COWETA BOARD OF ADJUSTMENT
COWETA CITY HALL, 310 S. BROADWAY
MONDAY, SEPTEMBER 16, 2024, 6:00 PM**

I. CALL TO ORDER

II. ROLL CALL - BOARD OF ADJUSTMENT

Joanna Jones ____

Kristi Rentie ____

Jessica Mugg ____

Vacant ____

Vacant ____

III. CONSENT

(All matters under the "Consent Calendar" are considered by the Board of Adjustment to be routine and will be enacted by one motion. Any Member may, however, remove an item from consent by request.)

1. MINUTES OF REGULAR MEETING

APPROVAL OF THE MINUTES OF THE COWETA BOARD OF ADJUSTMENT REGULAR MEETING HELD ON MAY 20, 2024.

Documents:

[BOA MINUTES 5.20.2024.DOCX](#)

IV. PUBLIC HEARINGS

1. PUBLIC HEARING CBOA 24-06

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON CBOA 24-06, A REQUEST FOR A SPECIAL EXCEPTION FROM SECTION 12-10A-4 USES PERMITTED BY SPECIAL EXCEPTION; SECTION 12-10A-4 (C) TEMPORARY BORROW PITS FOR FILL DIRT AND TOPSOIL SHALL REQUIRE BOARD OF ADJUSTMENT ACTION IN THE FORM OF A SPECIAL EXCEPTION. THE PROPERTY IS ZONED LIGHT INDUSTRIAL (IL). THE LOCATION OF THE REQUEST IS 10986 SOUTH 265TH EAST AVENUE.

Documents:

[240916 CBOA STAFFREP.DOCX](#)
[CBOA 24-06 AERIAL VIEW MAP.PDF](#)
[CBOA 24-06 ZONING MAP.PDF](#)
[CBOA 24-06 PLAT OF SURVEY.PDF](#)
[CBOA 24-06 SITE INFORMATION.PDF](#)

V. ADMINISTRATION

1. CBOA 24-06

DISCUSS AND POSSIBLE ACTION INCLUDING APPROVAL, APPROVAL WITH CONDITIONS, OR

DENIAL OF CBOA 24-06, A REQUEST FOR A SPECIAL EXCEPTION FROM SECTION 12-10A-4 USES PERMITTED BY SPECIAL EXCEPTION; SECTION 12-10A-4 (C) TEMPORARY BORROW PITS FOR FILL DIRT AND TOPSOIL SHALL REQUIRE BOARD OF ADJUSTMENT ACTION IN THE FORM OF A SPECIAL EXCEPTION. THE PROPERTY IS ZONED LIGHT INDUSTRIAL (IL). THE LOCATION OF THE REQUEST IS 10986 SOUTH 265TH EAST AVENUE.

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[CBOA 24-06 PLAT OF SURVEY.PDF](#)

VI. ADJOURNMENT

**IF YOU REQUIRE A SPECIAL ACCOMMODATION PURSUANT TO THE AMERICANS WITH DISABILITIES ACT,
PLEASE NOTIFY CITY HALL BY 9:00 A.M. ON THE DATE OF THE MEETING.**



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**REGULAR MEETING - MEETING MINUTES
COWETA BOARD OF ADJUSTMENT
COWETA CITY HALL, 310 S. BROADWAY, COWETA, OKLAHOMA**

MONDAY, MAY 20, 2024, 6:00 PM

COMMISSIONERS PRESENT: Joanna Jones, Krisit Rentie and Tim Ahlstrom.

COMMISSIONERS ABSENT: Bruce Watkins & Jessica Morris.

I. CALL TO ORDER

The meeting was called to order by chairperson Joanna Jones at 6:00 p.m.

II. ROLL CALL

Roll call taken. Board of Adjustment members were present as shown above.

III. CONSENT

1. Consideration of the minutes of the regular meeting held on April 15, 2024.
Kristi Rentie makes a motion to approve the minutes. Tim Ahlstrom seconded the motion.

Aye: Kristi Rentie
Tim Ahlstrom
Joanna Jones

IV. PUBLIC HEARING ITEMS

Public Hearing CBOA 24-05

Public Hearing to receive public comment on CBOA 24-05, a request for a variance from Section 12-12-4 Design Standards for off-Street Parking Areas; Section 12-12-4 (D) Unenclosed Off Street parking areas shall be surfaced with an all-weather asphalt or concrete material or its equivalent material designed to carry the maximum load normally expected on that surface. The property is zoned Residential Single-Family (RS-1) the location of the request is 14461 South 279th East Avenue.

Joanna Jones closes public hearing.

V. ADMINISTRATION

CBOA 24-05

Discuss and possible action including approval, approval with conditions, or denial of CBOA 24-05 a request for a variance from Section 12-12-4 Design Standards for Off-Street Parking Areas; section 12-12-4 (D) Unenclosed Off-Street parking areas shall be surfaced with an all-weather asphalt or concrete material or its equivalent material designed to carry the maximum load normally expected on that surface. The property is zoned Residential Single-Family (RS-1) the location of the request is 14461 South 279th East venue.

Comments: Carolyn Back, Community Development Director noted that the hardship to be the same as the homes from last month's meeting, that being "the road is a private gravel road, has never been maintained by the County or the City. There are no plans by the city to improve the road, and the applicant is still required to provide a hard all-weather parking pad outside of the garage area."

Kristi Rentie made a motion to approve the requested variance based on hardship previously stated. Tim Ahlstrom seconded the motion.

Aye: Tim Ahlstrom
Jessica Morris
Joanna Jones

VI. ADJOURNMENT

The meeting was adjourned by Joanna Jones at 6:10 p.m.

X

Date: _____

Chairperson

X

Date: _____

Secretary



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Memorandum

To: Honorable Chairman, Members of the Board of Adjustment
From: Tom E Young Jr, City Planner
Re: CBOA 24-06
Date: September 16, 2024

BACKGROUND

Applicants

Mike Thedford, Wallace Design Collective, for the property owner, is seeking; A special exception from Section 12-10A-4 Uses Permitted by Special Exception; Section 12-10A-4 (C) Temporary borrow pits for fill dirt and topsoil shall require Board of Adjustment action in the form of a Special Exception.

Case Facts

- The property legal description: A tract lying in the Southeast Quarter of the Southwest Quarter SE/4 of SW/4 of Section Twenty -Six (26), Township Eighteen (18) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, according to the U.S. Government Survey thereof, more particularly described as follows: BEGINNING at a point 1328.75 feet East and 208.75 feet North of the Southwest corner of said Section 26; Thence North 590 feet; thence East 766.1 feet; thence S28°05'43"E 476 feet; thence West 588.7 feet; thence South 170 feet; thence West 400 feet to a Point of Beginning; LESS AND EXCEPT any part thereof which is a part of the following described tract: Beginning at a point 1833.45 feet East and 789.75 feet North of the Southwest corner of said Section 26; thence North 200 feet; thence East 154.6 feet; thence S28°05'43"E a distance of 226.72; thence West 261.4 feet to the Point of Beginning.
- The property is zoned Light Industrial (IL)
- The location of the request is 10986 South 265th East Avenue

Pertinent Code

ARTICLE 12-10A INDUSTRIAL DISTRICTS IL LIGHT INDUSTRIAL DISTRICT

12-10A-4 Uses Permitted By Special Exception

The following uses may be permitted as special exceptions by the Board of Adjustment in accordance with the provisions contained in CCC 12-3A:

12-10A-4 (C) Temporary borrow pits for fill dirt and topsoil.

12-3B-10 Special Exceptions

- A. Enumeration. The Board of Adjustment, upon application and after hearing, subject to the procedural and substantive standards hereinafter set forth, may grant the following special exceptions:

1. Special exception uses as designated and regulated within the zoning district's "uses permitted by special exception" section.

BOARD ACTION

Hearing; Board action.

The Board of Adjustment shall hold the hearing and, upon the concurring vote of three members, may grant the special exception after finding that the special exception will be in harmony with the spirit and intent of this title and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, provided that the Board, in granting special exception, shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

Time limitation.

A special exception which has not been utilized within one year from the date of the order granting same shall thereafter be void, provided that the Board has not extended the time for utilization. For the purposes of this subsection, the term "utilization" means actual use or the issuance of a building permit, when applicable, provided construction is diligently carried to completion.

In the case of CBOA 24-06, I make a motion to _____ special exception from SECTION 12-10A-4 Uses Permitted By Special Exception; A special exception from Section 12-10A-4 (C) Temporary borrow pits for fill dirt and topsoil.

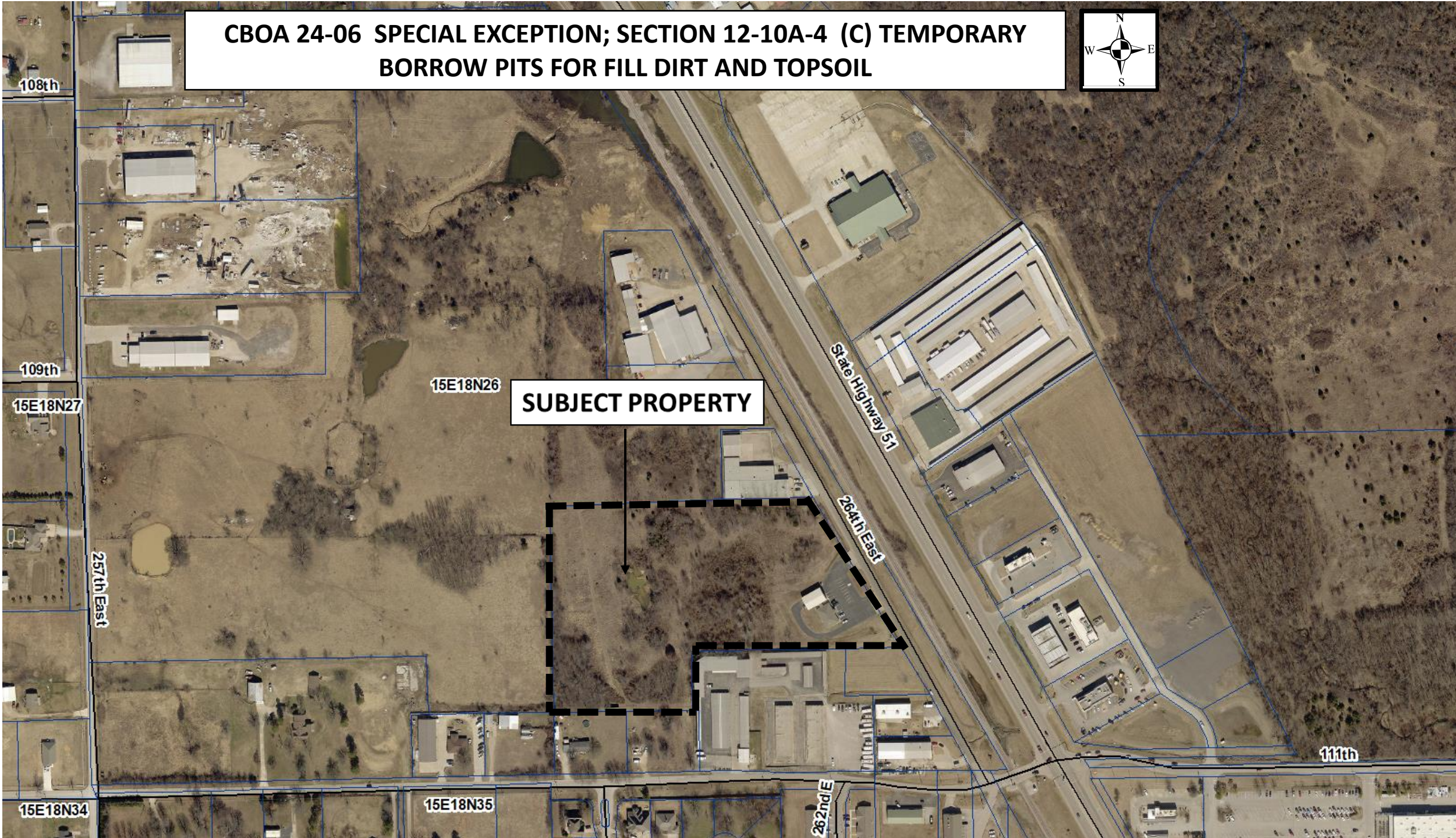
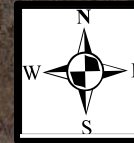
Finding: _____

The concurring vote of at least three (3) members of the board of adjustment is required for approval per code.

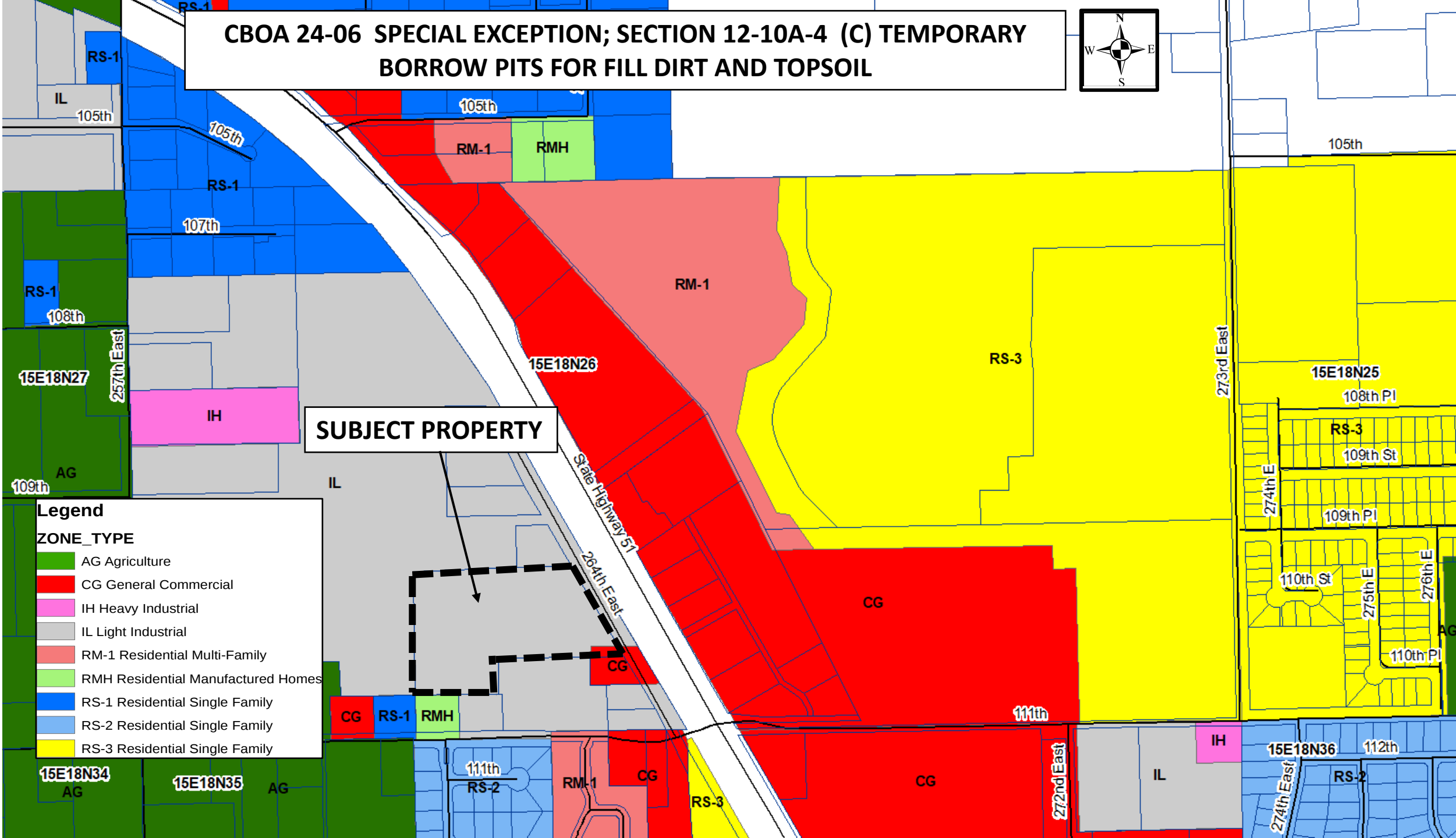
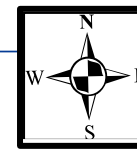
ATTACHMENTS

1. Area Map
2. Zoning Map
3. Property Survey
4. CBOA -06 Site Information

**CBOA 24-06 SPECIAL EXCEPTION; SECTION 12-10A-4 (C) TEMPORARY
BORROW PITS FOR FILL DIRT AND TOPSOIL**



**CBOA 24-06 SPECIAL EXCEPTION; SECTION 12-10A-4 (C) TEMPORARY
BORROW PITS FOR FILL DIRT AND TOPSOIL**



A 10x10 grid of squares. The majority of the squares are light beige. In the bottom-left corner, there is a small, dark brown, irregular shape that resembles a small cluster of cells or a simple drawing of a structure.

(R) = RECORD

SURVEYED BY: AC/BE
DRAWN BY: AM
Last Site Visit: 9/7/2023

FILE NAME
Sep 08 2003 - 12:43pm
C:\WINNT\SYSTEM32\FILES\0011590.drv

PLAT OF SURVEY

LEGAL DESCRIPTION (AS PROVIDED)

Beginning at a point 1328.75 feet East and 208.75 feet North of SW Corner of Section 26, T18N, R15E of the I.B.&M., Wagoner County, State of Oklahoma; thence North 590 feet; thence East 766.1 feet; thence S28°05'43"E 476 feet; thence West 588.7 feet; thence South 170 feet; thence West 400 feet to the Point of Beginning, LESS AND EXCEPT ANY PART THEREOF which is a part of the following described tract: Beginning at a point 1833.45 feet East and 789.75 feet North of the SW Corner of said Section 26; thence North 200 feet; thence East 154.6 feet; thence S28°05'43"E a distance of 226.72 feet; thence West 261.4 feet to Point of Beginning. Containing 10.02 acres, more or less.

SCHEDULE B ITEMS:

- ⑧ - Order to Enlarge the Purposes & Powers of Rural Water Dis. #4, Bk.662 Pg.539 (Ambiguous, Cannot read legal provided)
- ⑨ - R/W Deed to Missouri, Kansas & Okla. Railroad Company, Bk.135 Pg.291 (Does Not Affect, Plotted hereon)
- ⑩ - Report of Commissioners, Wagoner County District Court Case No.10017, Bk.227 Pg.79 (Does Not Affect)
- ⑪ - R/W Agreement Okla. Natural Gas Company, Bk.361 Pg.337 (Does Not Affect, Plotted)
- ⑫ - Assignment & Assumption of Real Property to ONE Gas, Bk.2135 Pg.434 (Affects, Blanket over SW/4 of Section 26)
- ⑬ - R/W Easement Public Service Company of Okla., Bk.366 Pg.311 (Does Not Affect)

MAP

R 15 E
50'

ON PIN
ENCE
URED
2RD



Wagoner County Assessor

251263-000020-000000
10986 S 265 E AVE10986HW51 LLC
10986 S 265 E AVE
-BROKEN ARROW OK 74014-Total Market Value
\$1,012,653

KEY INFORMATION

Account	730007913	Land Size	10.00 Acres
Class	URBAN COMMERCIAL/IND	School District	(SCT3) Coweta City B.A.
Millage Rate	98.81	2023 Taxes	\$6,178
Homestead	\$0	Neighborhood	520002.4
Quarter	3	Section	26
Township	18	Range	15
Legal Description	26-18-15 BEG AT A PT 1328.75' E & 208.75' N OF THE SW COR OF 26-18- 15 -N590', -E766.1' -S28DEG 05' 43"E 476' -W588.7' -S170' -W 400' TO POB CONT 10AC (COW, CITY ANNEX-CITY)		

ASSESSMENT DETAILS

Land Value	\$511,014
Improvement Value	\$501,639
Manufactured Home Value	\$0
Market Value	\$1,012,653
Taxable Value	\$1,012,653
Gross Assessed Value	\$113,418
Exemptions	\$0
Net Assessed Value	\$113,418

BUILDING DETAILS

COMMERCIAL BUILDING (1)

Appr ID	36278.0	Building Description	100% Lt. Commercial Utility Build. (471)
Total Sq Ft	2,400sf	# Stories	1
Avg Wall Height	16	Avg Perimeter	200
Year Built	2005	Construction Class	4
Exterior Walls	Single Metal on Wood Frame	Roof Type	Gable
Roof Cover	Metal	HVAC	No HVAC
Condition	-	Quality	-

COMMERCIAL BUILDING (2)

MISC IMPROVEMENTS

IMPROVEMENT TYPE	UNITS/SQ FT	EST YEAR BUILT	CONTRIBUTOR
RSPO	32	-	\$623
RSPO	66	-	\$1,286

YARD ITEMS

DESCRIPTION	DIMENSIONS	TOTAL UNITS	YEAR BUILT	CONTRIBUTORY VALUE
Paving, Asphalt 3-6 Inch.	175x80x0	14,000	2005	\$3,203

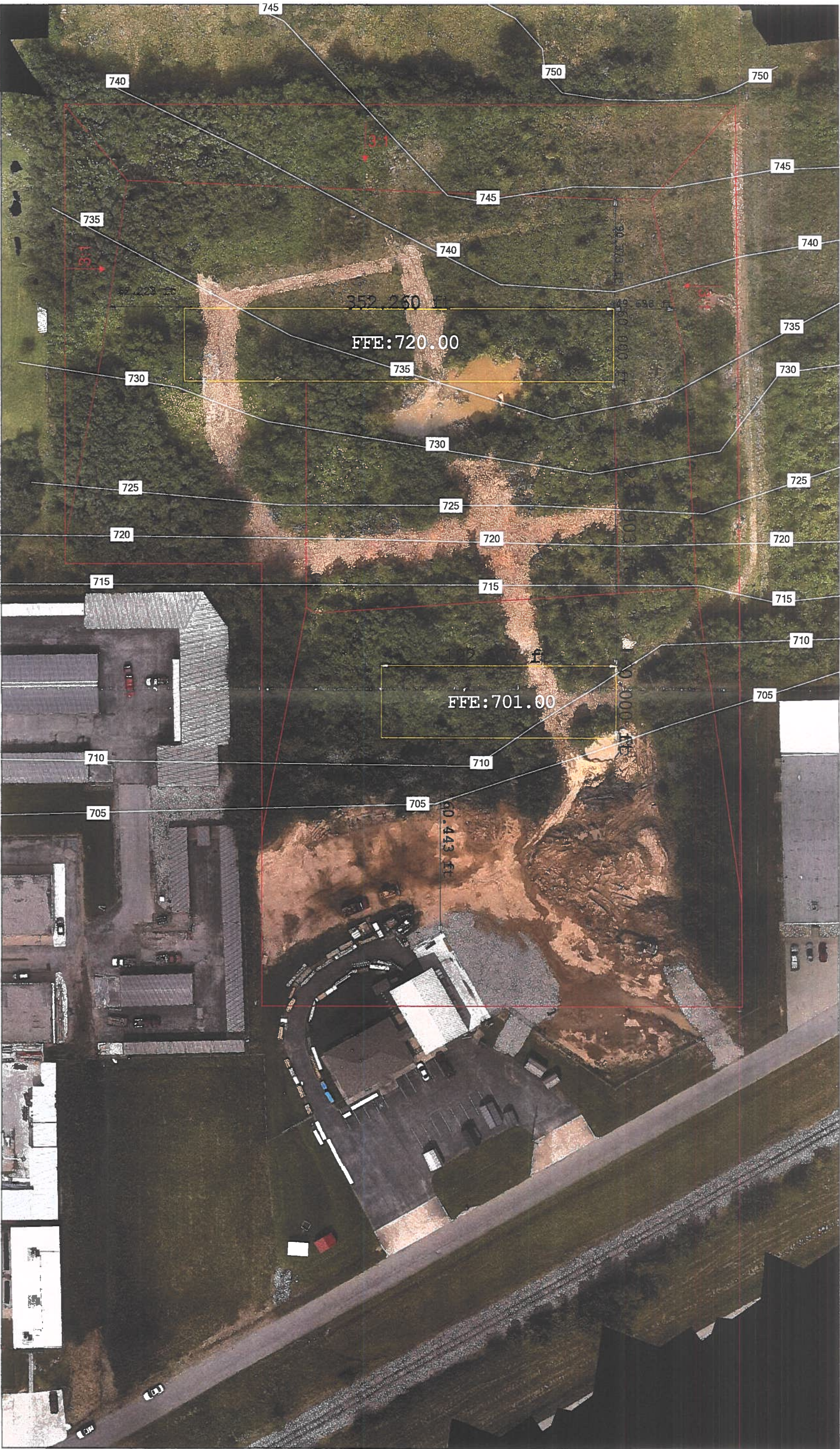
SALES

SALE DATE	SALE PRICE	DEED BOOK	DEED PAGE	INSTRUMENT TYPE	GRANTOR
09/12/2023	\$1,075,000	2,914	709	GWD	KOT PROPERTIES LLC

LAND

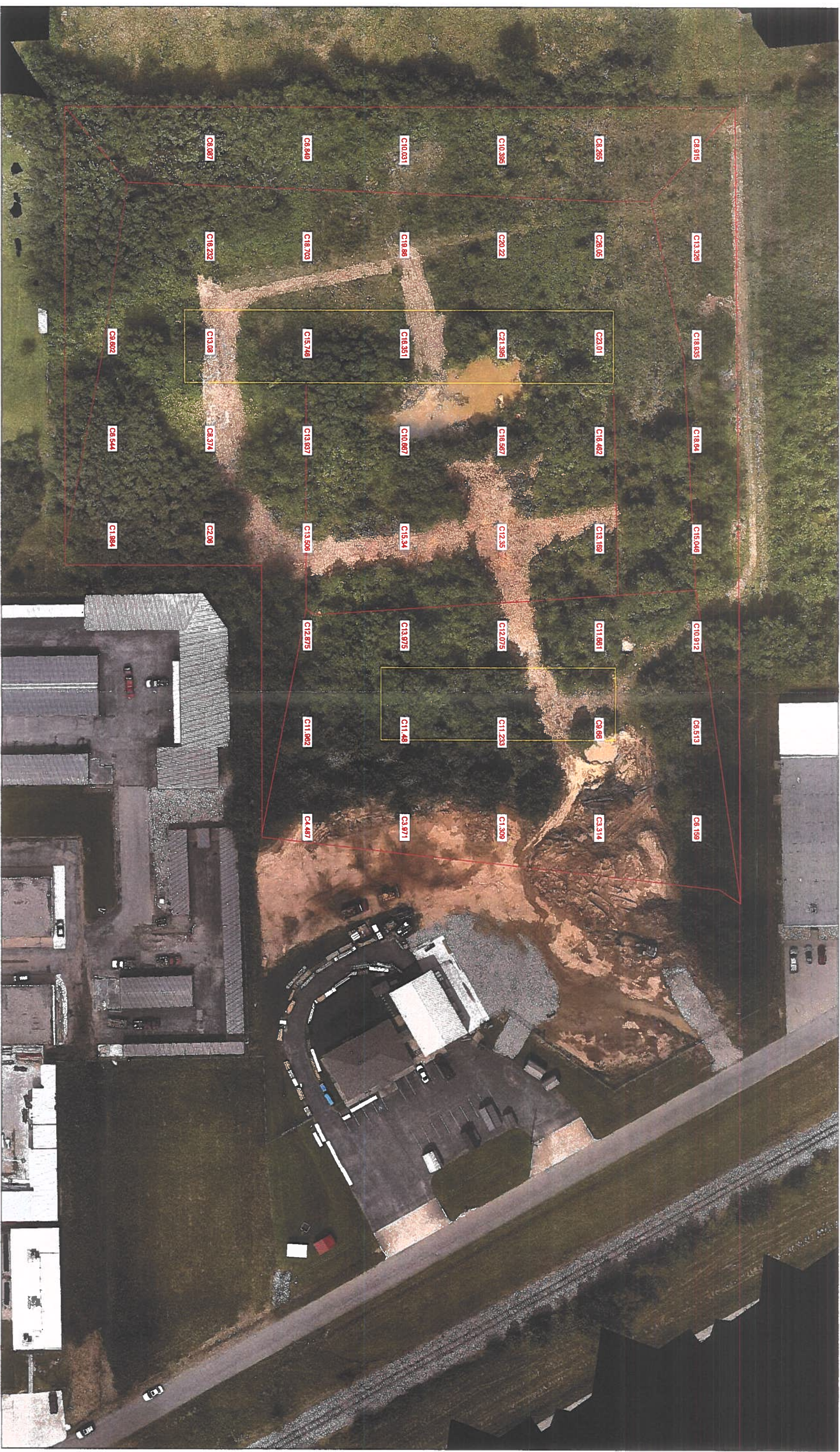
SOIL CODE	DESCRIPTION	USE CODE	LPI	ACRES	AG USE VALUE
No items to display					





ECONOMY SHEDS

Project Reference Number Sheet No: 1 / 1



ECONOMY SHEDS

Project Reference Number Sheet No: 1 / 1

Timberwolf Excavating
520 n 45th Place
Broken Arrow, Oklahoma
74013
918-355-7458
www.TwoIfX.com



ECONOMY SHEDS

Project Reference Number Sheet No: 1 / 1

Timberwolf Excavating
520 n 45th Place
Broken Arrow, Oklahoma
74013
918-355-7458
www.TwolfTX.com

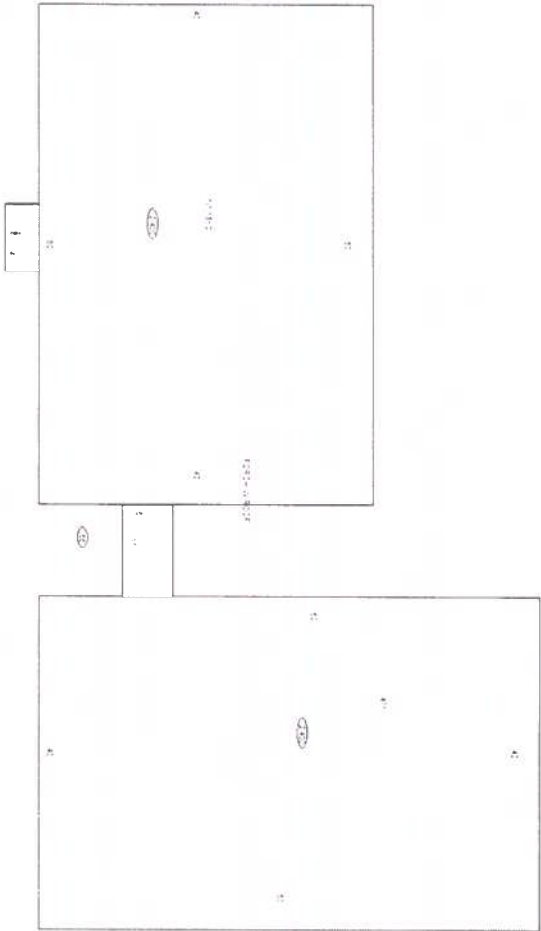


AUG 19 2014



SEP 4 2018





Data last updated: 08/12/2024

STATE OF OKLAHOMA
DEPARTMENT OF MINES
2915 N. Classen Blvd, Suite 213
Oklahoma City, OK 73106
(405) 427-3859
Fax (405) 424-4932

LIMITED USE PERMIT
TO ENGAGE IN NON-COAL MINING
The Mining Lands Reclamation Act, 45 O.S. 1981 '724-728

Date: August 5, 2024
Limited Use Permit No. L.U.-663

Limited Use Permit is hereby issued to:
Timber Wolf Excavating

918-355-7458

Name of Company, Corporation, Partnership, Individual

Telephone No.

520 N. 45th Pl.

Broken Arrow

OK

74014

Street, R.F.D., Box No.

City

State

Zip Code

to surface mine Select Fill (Dirt) by the following method(s) (Please check method(s)).

Auger Mining: Dredging: Hydraulic Mining: Pumping:

Quarrying: Stripping: X Other: Excavating

Limited Use Permit Term: 08-02-2024 To 08-01-2025

Total Acres to be affected: 2

Name or Number of Mine: Economy

Nearest Town: Broken Arrow, OK

Section(s) 26 Township(s) 18N Range(s) 15E

County Wagoner

Permit reviewed by *Gianna Harmon* Minerals Permit Manager
Gianna Harmon
Title

Approved by *Suzen M. Rodesney* Director
Suzen M. Rodesney
Title

A LIMITED USE PERMIT SHALL NOT CARRY A RIGHT OF SUCCESSIVE RENEWAL. THE SITE MUST BE RECLAIMED
WITHIN SIX (6) MONTHS FOLLOWING THE EXPIRATION OF THE PERMIT TERM.

NON-COAL LIMITED USE PERMIT
APPLICATION & RECLAMATION PLAN
FIELD EVALUATION

The Mining Lands Reclamation Act, 45 O.S. 1991 §721-728

Operator: _____ Date: August 1, 2024
Timber Wolf Excavating
520 N. 45th Pl.
Broken Arrow, OK 74014

The following has been reviewed for Permit # L.U.-663

	Reviewed	Additional Information Needed*
Legal Description	X	
Reclamation Plan	X	
Perimeter Markers in Place	X	
Permit Acreage	X	
Front Gate GPS Coordinates	N36 00 12.84	W95 40 56.5

*Comments or Recommendations based on field review:

Field Evaluation by: _____ Office Review by: _____
Inspector Matthew M. Moore 8-2-24 Blaine Johnson 8-5-24
Minerals Program

Approved by: Eugene M. Podany Director 8-5-24
Date

RETURN ALL COPIES

The Mining Lands Reclamation Act

APPLICATION FOR LIMITED USE PERMIT
TO ENGAGE IN NON-COAL MINING

In accordance with O.S. Title 45, Section 724 B.

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JUL 31 2024

DEPT. OF MINES

ODM Office Use Only	
L. U. PERMIT NO.	863
L. U. PERMIT TERM	to

Date: 07/19/2024 Acres Requested (Maximum 2 acres) 2

Timber Wolf Excavating 918-355-7458 office@twolfx.com

Name of Company, Corporation, Partnership, Individual Telephone Number Email Address

520 N 45th PL Broken Arrow OK 74014

Street, R.F.D., Box No. City State Zip Code

hereby make application for a limited use permit to mine Ditt by the following method:

Type of Mineral(s)

Specify Method: Auger Mining ☐ Dredging ☐ Hydraulic Mining ☒ Pumping ☐

Quarrying ☐ Stripping ☒ Other (specify)

Type of perimeter markers to be used: Excavator, Dozer

LEGAL ESTATE AND LEGAL DESCRIPTION

Mine Name or Number Economy Nearest Town Broken Arrow

Section(s) SW Corner of Sect 26 Township 18 North Range 15 East County Wagoner

Name of Landowner: 10986HW51 LLC - Scot Nelson

Landowner Address: 10986 S. 265th E Ave Broken Arrow, OK 74014

Landowner Telephone Number: 918-724-8378

Is the limited use permit application area owned ☐ or leased ☒ by the applicant?

If more than one landowner is involved, please attach a separate sheet with the additional information.

NOTE: NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AFFORD THE DEPARTMENT OF MINES AND MINING AUTHORITY TO ADJUDICATE PROPERTY TITLE DISPUTES.

DEPT. OF MINES
OPERATIONAL SECTION

1. Will this operation involve removing minerals from any boundaries of river or streambed? ☐ Yes ☒ No

If yes, please complete question 2 regarding the type of stream and its name and location. If no, please proceed to question 4.

2a. What is the name of the stream or river? _____

2b. Which of the following classifies this stream or river? Please refer to OAC: 460:10-13-2 for descriptions of each.

☐	High Quality Water (HQW)	☐	Outstanding Resources Waters (ORW)
☐	Scenic river area	☐	None of the above

3. Does the operation overlie sensitive sole source groundwater basin or subbasin? ☐ Yes ☐ No

Please be advised mining cannot be approved in high quality waters, outstanding resource waters or a sole source aquifer under a limited use permit.

4. Will this operation utilize processing equipment? ☐ Yes ☒ No

5. Will this operation utilize explosives? ☐ Yes ☒ No

Please be advised mining cannot be approved for use of processing equipment or explosives under a limited use permit.

RECLAMATION PLAN

USE OF LAND WHEN RECLAMATION IS COMPLETED:
(Check one or more; show acreage)

USE	EST. ACREAGE	USE	EST. ACREAGE
☐ 1. Pasture	_____	☐ 2. Farm Land	_____
☐ 3. Forest	_____	☐ 4. Water Reservoir	_____
☐ 5. Recreation	_____	☒ 6. Industrial	Storage Units
☐ 7. Residential	_____	Explain: _____	_____
☐ 8. Other	_____	Explain: _____	_____
☐ 9. None	_____	Explain: _____	_____

WHAT WILL YOU DO TO MAKE LAND USABLE FOR PURPOSE STATED ABOVE? (Check one or more)

☐ 1. Fill	☐ 2. Level	☒ 3. Grade – approximate date of grading (If unknown, show as unknown)	07/22/24
☐ 4. Other (Explain)	_____		
☐ 5. Plant grass	☐ 6. Sprig or sod grass	☐ 7. Set out trees	_____
☐ 8. Build dam	☐ 9. Stock with fish	☐ 10. Stock with game	_____
☐ 11. None (Explain)	Development of Storage Units		

Does the mineral seam contain acid-forming materials? ☐ Yes ☒ No
If yes, please complete Question #3 of the Attachment forms.

HOW WILL YOU ACCOMPLISH THE ABOVE RECLAMATION PLAN?
Please complete each question on the Reclamation Plan Attachment Forms with details.

REQUIRED RECLAMATION BOND shall be \$3,500.00

1. Revegetation Plan:

(A) Planned soil tests:

None

(B) Site preparation and fertilization:

Grading

(C) Seed and plant selection:

K-31 grass at 75 lb per acre

(D) Rate of Seeding or amount of planting per acre:

SOD

(E) Are there other surface treatments that will be performed to the affected land during reclamation? ☒ Yes ☐ No

If yes, please explain:

Development into Storage Units

1. Describe the method to prevent or eliminate conditions that could be hazardous to animal or fish life in or adjacent to the permit area.

SOD

2. Provide, as a separate document, a closure plan of the mine and permitted facilities to prevent a release of contaminants for being harmful to the environment. **A closure plan is not necessary for all mines**, but is required where the possibility exist for (a) acid forming materials handling or drainage; (b) chemically treated tailings or stockpiles (excludes fertilizer or lime for re-vegetation purpose).

Not Needed

3. Method of control and disposal of mine waster, rock, mineral scrap, tailings, slimes, and other material directly connected with the mining, cleaning, and preparation of mineral substances mined and includes all waste materials deposited on or in the permit area from any source.

NA

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JUL 30 2024

DEPT. OF MINES

4. Method of reclaiming settling and/or sediment ponds.

NA

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JUL 30 2024
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5. For final reclamation, submit information about practices for safety to persons and to adjoining property in all excavations. Identify area of potential danger and appropriate safety provisions. These provisions can but are not limited to setbacks, fencing, signs, benching, guardrails, and boulders.

NA

6. Method Identify structures (e.g. buildings, roads) that are proposed to remain as part of the final reclamation.

Storage Units

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State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

NON-COAL LOCATION MAP OF SECTION

The Mining Land Reclamation Act, 45 O.S. 2016 § 721-728

If, for any reason whatsoever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

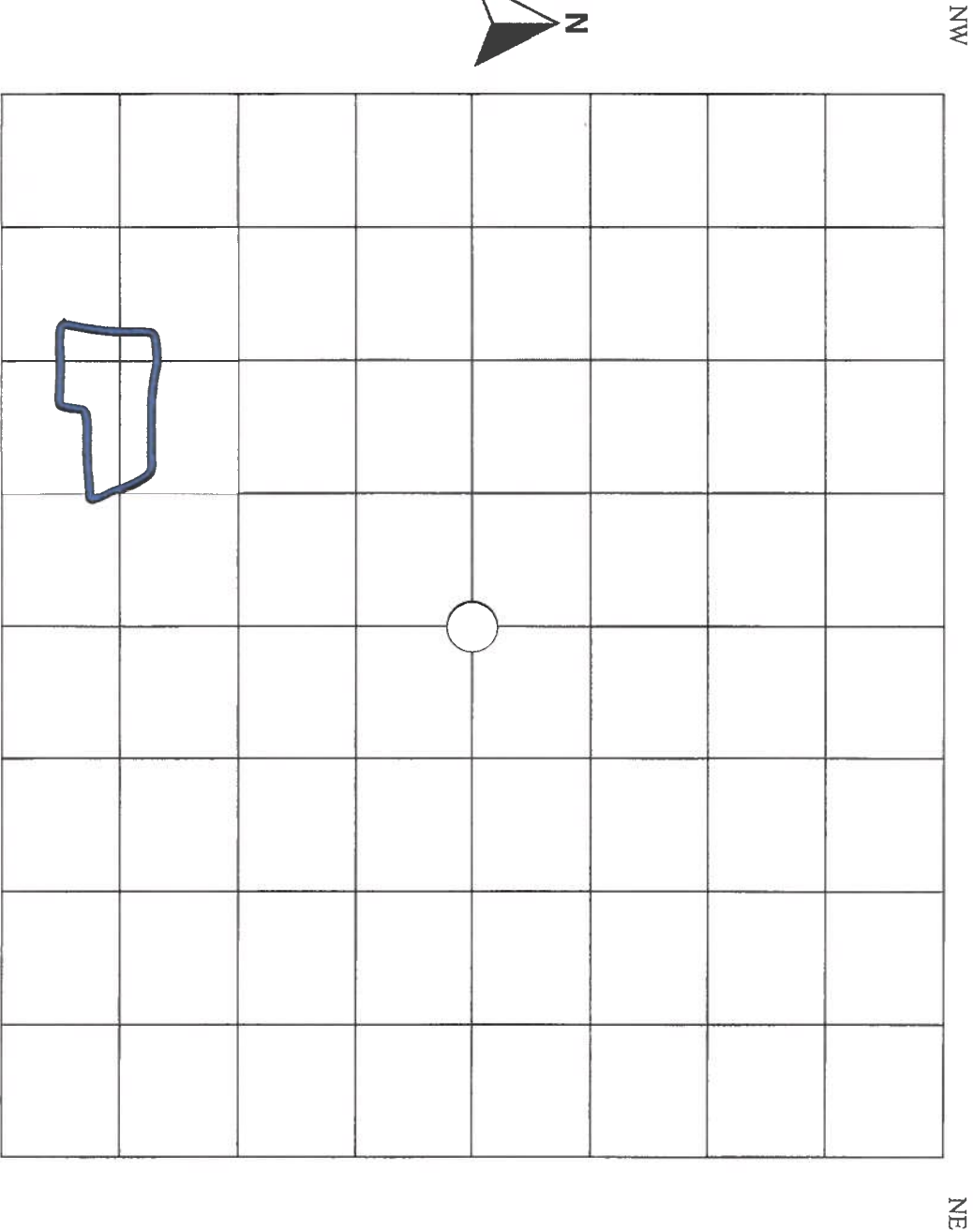
Company: Timber Wolf Excavating LLC

Mineral to be Mined: Dirt

Acres in this Section that will be covered by permit: 2 and bond: 3500.00

Section: 26 Township: 18 Range: 15 County: Wagoner

1. A separate page is needed for every Section.
2. Each One Section is divided into 10-acre tracts.
3. Please show all permitted and bonded acreage.



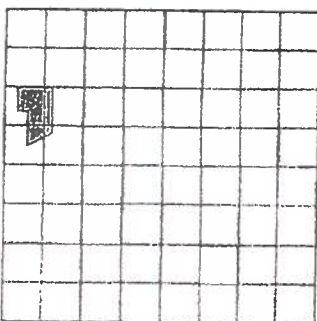
PLOT LOCATION as accurately as possible on map.
NOTE: PLOT ALL TRANSMISSION LINES (gas, water, electric, etc.) in accordance with H.B. 1735 of 1982

RECEIVED

JUL 30 2024

DEPT. OF MINES

PLAT OF SURVEY



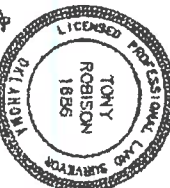
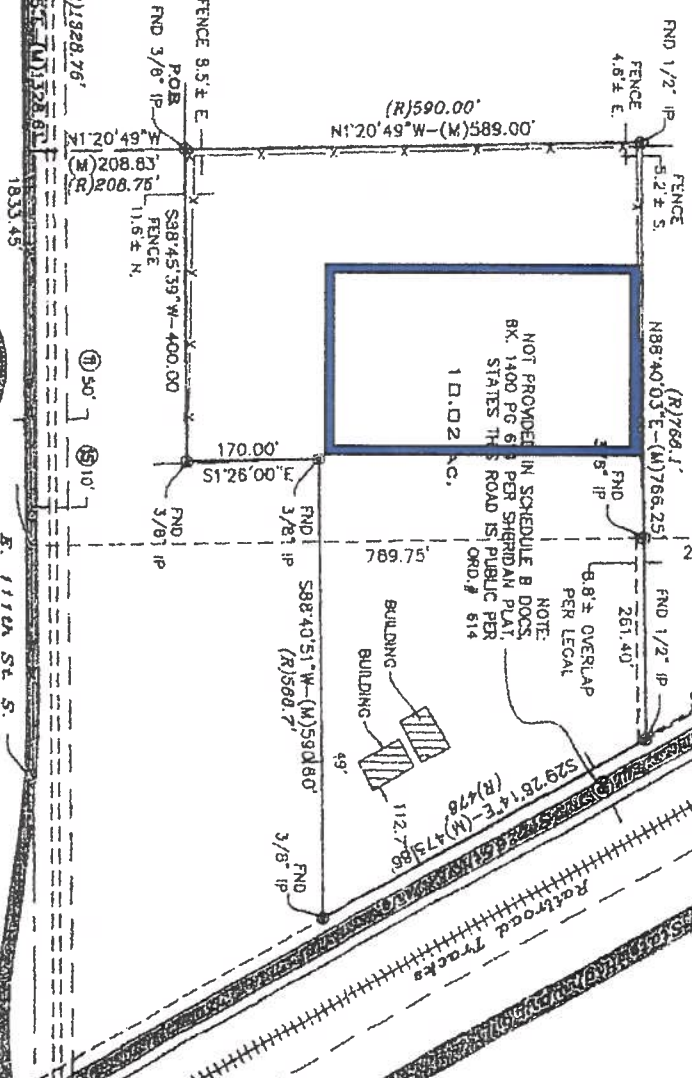
LOCATION MAP
SEC. 26 T.18 N. R. 15 E
SCALE: 1" = 150'
X = FENCE
M = MEASURED
R = RECORD

LEGAL DESCRIPTION (AS PROVIDED)
Beginning at a point 328.75 feet East and 208.75 feet North of SW Corner of Section 26, T.18N, R.15E of the 18.644, Wagoner County, State of Oklahoma; thence North 590 feet; thence East 765.1 feet; thence S28°05'43"E 476 feet; thence West 588.7 feet; thence South 170 feet; thence West 400 feet to the Point of Beginning; LESS AND EXCEPT ANY PART THEREOF which is a part of the following described tract: Beginning at a point 1833.45 feet East and 789.75 feet North of the SW Corner of said Section 26; thence North 200 feet; thence East 154.6 feet; thence S28°05'43"E a distance of 226.72 feet; thence West 261.4 feet to Point of Beginning. Containing 10.02 acres, more or less.

SCHEDULE B ITEMS:

- ① - Order to Enlarge the Purposes & Powers of Rural Water Dis. #4, Bk. 662 Pg. 539 (Ambiguous, Cannot read legal provided)
- ② - R/W Deed to Missouri, Kansas & Okla. Railroad Company, Bk. 135 Pg. 291 (Does Not Affect, Plotted hereon)
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- ⑨ - Easement in favor of Joseph R. Zeigler, Bk. 849 Pg. 271 (Does Not Affect, plotted hereon)
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NO PHYSICAL MONUMENTS
COULD BE FOUND IN ORDER TO VERIFY
LOCATION OF THIS TRACT



SW CORNER
SEC. 26, T.18N, R. 15E
9/8/2023

TONY ROBINSON
1886
Oklahoma

BEARINGS ARE BASED ON
NAD83 OKLAHOMA STATE
PLANE COORDINATE SYSTEM.

FOR: KOT Properties, LLC.
10886 S. 285th E. Ave., Broken Arrow
DATE: 9/8/2023
W.O.# 11569
SURVEYED BY: AC/BE
DRAWN BY: AM
Last Site Visit: 9/7/2023

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JUL 31 2024

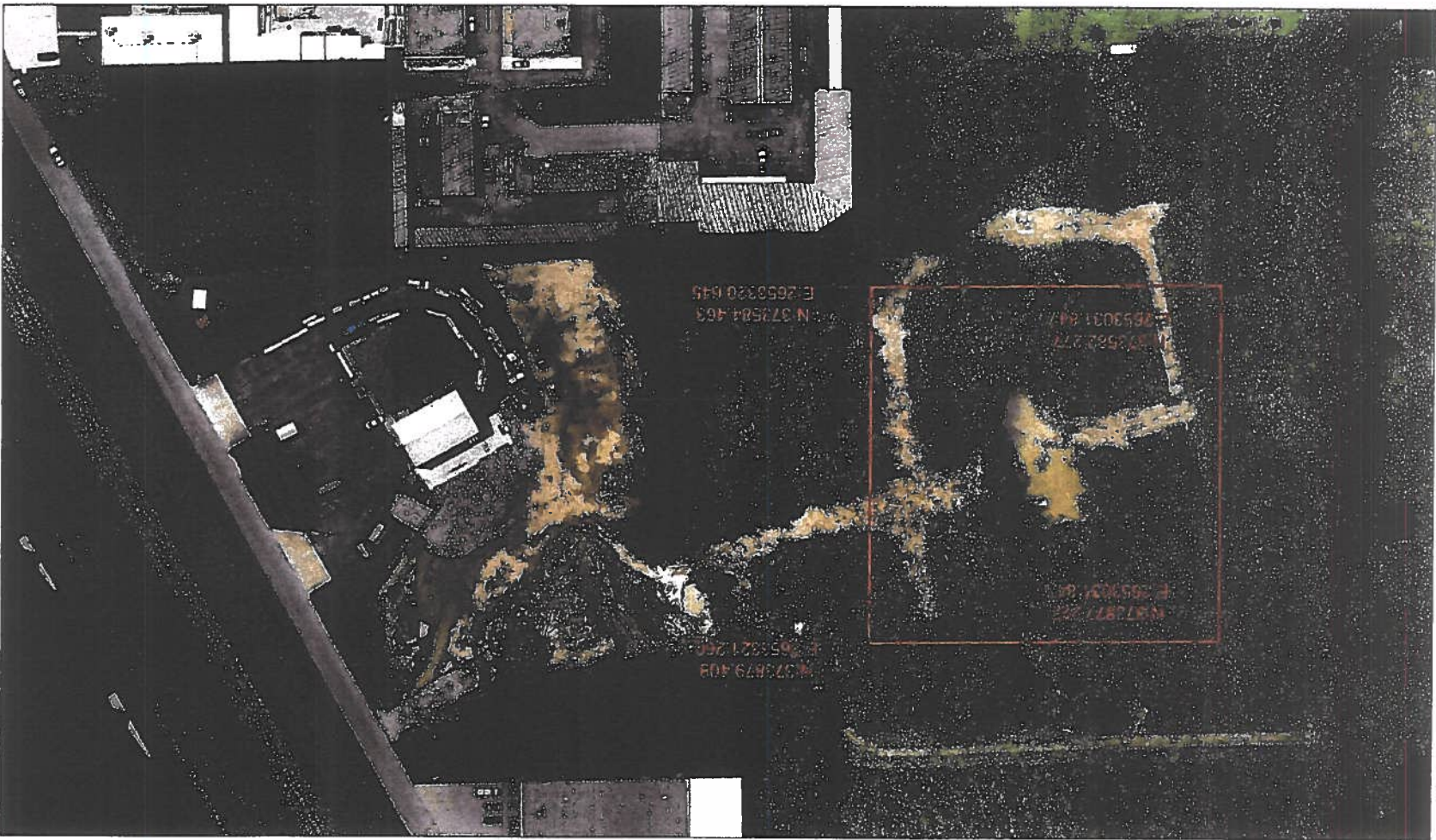
DEPT. OF MINES

Collected by Geo Survey/Geology/Geophysics

ECONOMY SHEDS

Project Reference Number

Sheet No: 1 / 1



Timberwolf Excavating
520 n 45th Place
Broken Arrow, Oklahoma
74013
918-355-7458
www.TwoIX.com

STATEMENT OF CERTIFICATION

I, (Company Official) Jackson Jessop Certify that the (Company, Corporation, Individual(s)) Jackson Jessop has the right and power by Legal Estate owned to mine the land for which this application is made. We hereby certify that all details contained in this application are true and correct to the best of knowledge. We fully understand that any willful misrepresentation of facts will be cause for revocation.

Signature of Company Official [Signature] Position Member
Subscribed and sworn to before me this 24 day of July 20 24
My Commission expires 10/14/2024 Notary Public [Signature]

NOTE: THIS APPLICATION MUST BE SIGNED AND NOTARIZED AND IT MUST BE ACCOMPANIED BY BOND, PERMIT FEE, RECLAMATION PLAN AND MAPS FOR REVIEW AND APPROVAL PRIOR TO ANY DISTURBANCE TAKING PLACE.



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POST OFFICE BOX 850 • COWETA, OKLAHOMA 74429 • PH. (918) 486-2189 • FAX (918) 486-5366 • www.cityofcoweta-ok.gov

Memorandum

To: Honorable Chairman, Members of the Board of Adjustment
From: Tom E Young Jr, City Planner
Re: CBOA 24-06
Date: September 16, 2024

BACKGROUND

Applicants

Mike Thedford, Wallace Design Collective, for the property owner, is seeking; A special exception from Section 12-10A-4 Uses Permitted by Special Exception; Section 12-10A-4 (C) Temporary borrow pits for fill dirt and topsoil shall require Board of Adjustment action in the form of a Special Exception.

Case Facts

- The property legal description: A tract lying in the Southeast Quarter of the Southwest Quarter SE/4 of SW/4 of Section Twenty -Six (26), Township Eighteen (18) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, according to the U.S. Government Survey thereof, more particularly described as follows: BEGINNING at a point 1328.75 feet East and 208.75 feet North of the Southwest corner of said Section 26; Thence North 590 feet; thence East 766.1 feet; thence S28°05'43"E 476 feet; thence West 588.7 feet; thence South 170 feet; thence West 400 feet to a Point of Beginning; LESS AND EXCEPT any part thereof which is a part of the following described tract: Beginning at a point 1833.45 feet East and 789.75 feet North of the Southwest corner of said Section 26; thence North 200 feet; thence East 154.6 feet; thence S28°05'43"E a distance of 226.72; thence West 261.4 feet to the Point of Beginning.
- The property is zoned Light Industrial (IL)
- The location of the request is 10986 South 265th East Avenue

Pertinent Code

ARTICLE 12-10A INDUSTRIAL DISTRICTS IL LIGHT INDUSTRIAL DISTRICT

12-10A-4 Uses Permitted By Special Exception

The following uses may be permitted as special exceptions by the Board of Adjustment in accordance with the provisions contained in CCC 12-3A:

12-10A-4 (C) Temporary borrow pits for fill dirt and topsoil.

12-3B-10 Special Exceptions

- A. Enumeration. The Board of Adjustment, upon application and after hearing, subject to the procedural and substantive standards hereinafter set forth, may grant the following special exceptions:

1. Special exception uses as designated and regulated within the zoning district's "uses permitted by special exception" section.

BOARD ACTION

Hearing; Board action.

The Board of Adjustment shall hold the hearing and, upon the concurring vote of three members, may grant the special exception after finding that the special exception will be in harmony with the spirit and intent of this title and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, provided that the Board, in granting special exception, shall prescribe appropriate conditions and safeguards, and may require such evidence and guarantee or bond as it may deem necessary to enforce compliance with the conditions attached.

Time limitation.

A special exception which has not been utilized within one year from the date of the order granting same shall thereafter be void, provided that the Board has not extended the time for utilization. For the purposes of this subsection, the term "utilization" means actual use or the issuance of a building permit, when applicable, provided construction is diligently carried to completion.

In the case of CBOA 24-06, I make a motion to _____ special exception from SECTION 12-10A-4 Uses Permitted By Special Exception; A special exception from Section 12-10A-4 (C) Temporary borrow pits for fill dirt and topsoil.

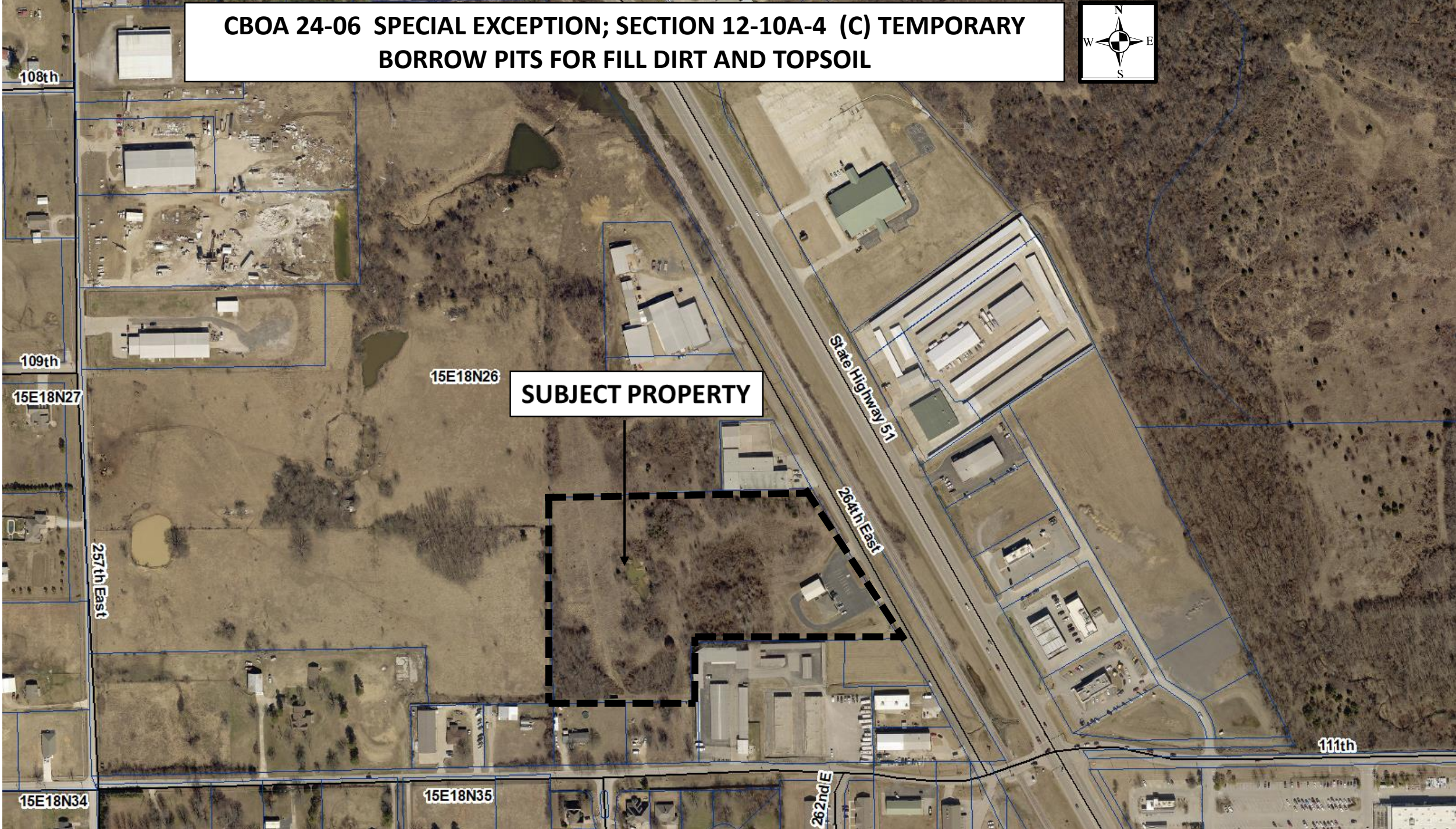
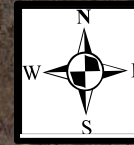
Finding: _____

The concurring vote of at least three (3) members of the board of adjustment is required for approval per code.

ATTACHMENTS

1. Area Map
2. Zoning Map
3. Property Survey
4. CBOA -06 Site Information

**CBOA 24-06 SPECIAL EXCEPTION; SECTION 12-10A-4 (C) TEMPORARY
BORROW PITS FOR FILL DIRT AND TOPSOIL**



15E18N26

SUBJECT PROPERTY

State Highway 51

264th East

111th

15E18N35

262nd E

15E18N34

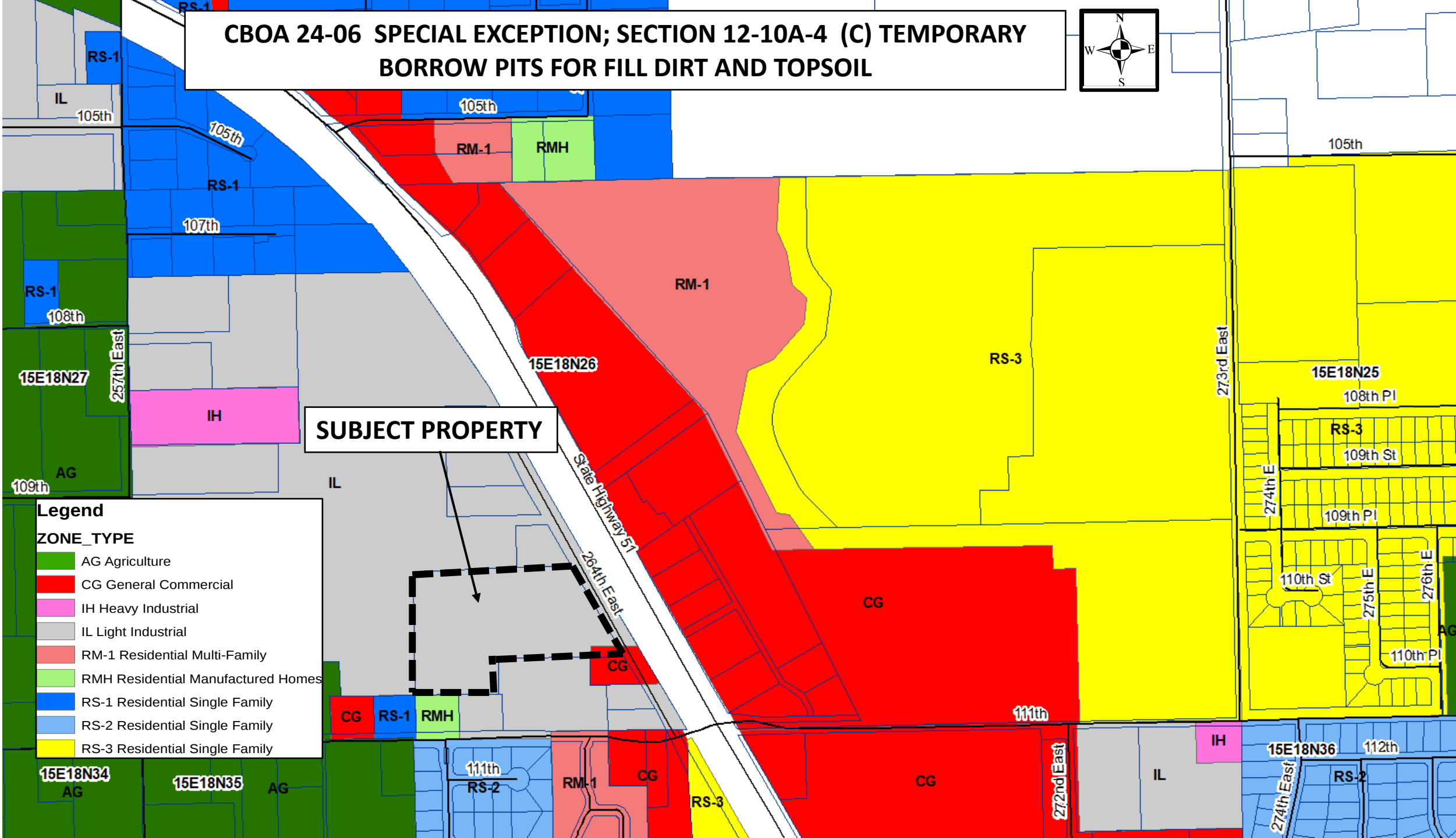
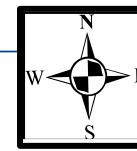
15E18N27

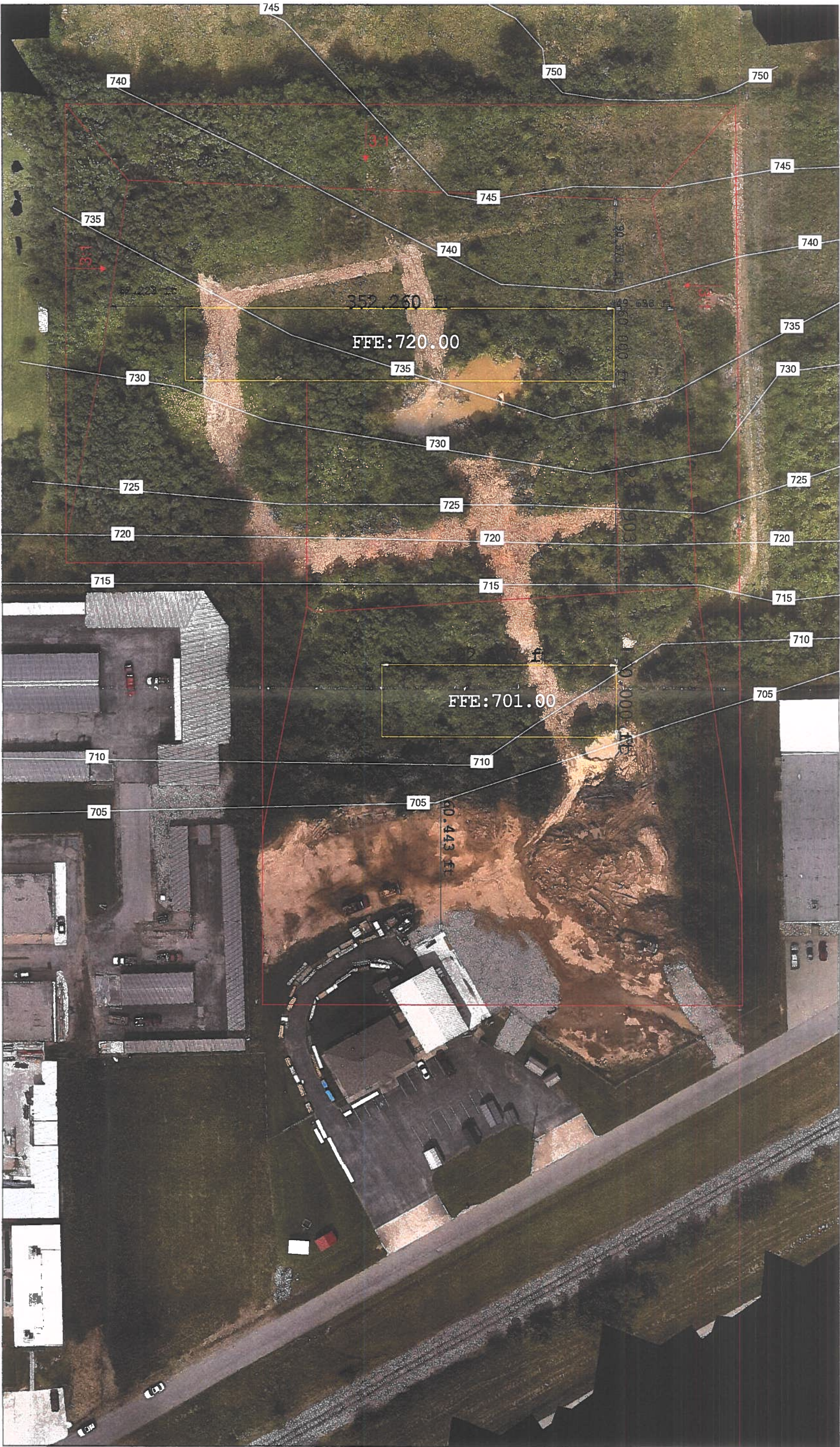
109th

108th

257th East

**CBOA 24-06 SPECIAL EXCEPTION; SECTION 12-10A-4 (C) TEMPORARY
BORROW PITS FOR FILL DIRT AND TOPSOIL**





ECONOMY SHEDS

Project Reference Number Sheet No: 1 / 1



ECONOMY SHEDS

Project Reference Number Sheet No: 1 / 1

Timberwolf Excavating
520 n 45th Place
Broken Arrow, Oklahoma
74013
918-355-7458
www.TwoIfX.com



ECONOMY SHEDS

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Timberwolf Excavating
520 n 45th Place
Broken Arrow, Oklahoma
74013
918-355-7458
www.TwolfTX.com

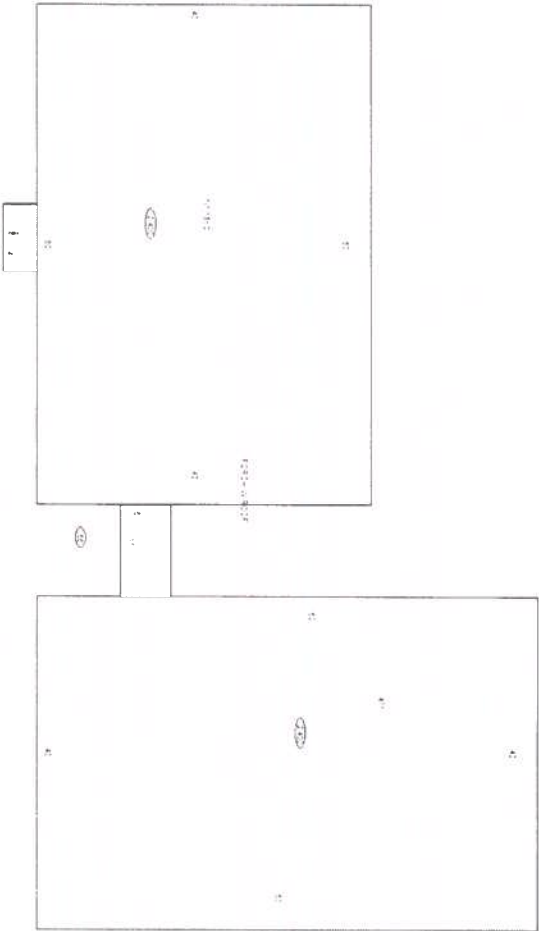


AUG 19 2014



SEP 4 2018





Data last updated: 08/12/2024

STATE OF OKLAHOMA
DEPARTMENT OF MINES
2915 N. Classen Blvd, Suite 213
Oklahoma City, OK 73106
(405) 427-3859
Fax (405) 424-4932

LIMITED USE PERMIT
TO ENGAGE IN NON-COAL MINING
The Mining Lands Reclamation Act, 45 O.S. 1981 '724-728

Date: August 5, 2024
Limited Use Permit No. L.U.-663

Limited Use Permit is hereby issued to:
Timber Wolf Excavating

918-355-7458

Name of Company, Corporation, Partnership, Individual

Telephone No.

520 N. 45th Pl.

Broken Arrow

OK

74014

Street, R.F.D., Box No.

City

State

Zip Code

to surface mine Select Fill (Dirt) by the following method(s) (Please check method(s)).

Auger Mining: Dredging: Hydraulic Mining: Pumping:

Quarrying: Stripping: X Other: Excavating

Limited Use Permit Term: 08-02-2024 To 08-01-2025

Total Acres to be affected: 2

Name or Number of Mine: Economy

Nearest Town: Broken Arrow, OK

Section(s) 26 Township(s) 18N Range(s) 15E

County Wagoner

Permit reviewed by *Gianna Harmon* Minerals Permit Manager
Gianna Harmon
Title

Approved by *Suzen M. Rodesney* Director
Suzen M. Rodesney
Title

A LIMITED USE PERMIT SHALL NOT CARRY A RIGHT OF SUCCESSIVE RENEWAL. THE SITE MUST BE RECLAIMED
WITHIN SIX (6) MONTHS FOLLOWING THE EXPIRATION OF THE PERMIT TERM.

Oklahoma Department of Mines
2915 N. Classen Blvd., Suite 213
Oklahoma City, OK 73106
(405)427-3859

NON-COAL LIMITED USE PERMIT APPLICATION & RECLAMATION PLAN FIELD EVALUATION

The Mining Lands Reclamation Act, 45 O.S. 1981 §721-728

Operator: _____
Date: August 1, 2024

**Timber Wolf Excavating
520 N. 45th Pl.
Broken Arrow, OK 74014**

The following has been reviewed for Permit # L.U.-663

	Reviewed	Additional Information Needed*
Legal Description	X	
Reclamation Plan	X	
Perimeter Markers in Place	X	
Permit Acreage	X	
Front Gate GPS Coordinates	N36 00 12.84	W95 40 56.5

*Comments or Recommendations based on field review:

Field Evaluation by:

Office Review by:

Inspector Matthew M. Moran Date 8-2-24

John Hanner 8-5-21

Approved by:


 Director

Date 8-5-24

RETURN ALL COPIES

The Mining Lands Reclamation Act

APPLICATION FOR LIMITED USE PERMIT
TO ENGAGE IN NON-COAL MINING

In accordance with O.S. Title 45, Section 724 B.

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ODM Office Use Only	
L.U. PERMIT NO.	863
L.U. PERMIT TERM	to

Date: 07/19/2024 Acres Requested (Maximum 2 acres) 2

Timber Wolf Excavating 918-355-7458 office@twolfx.com

Name of Company, Corporation, Partnership, Individual Telephone Number Email Address

520 N 45th PL Broken Arrow OK 74014

Street, R.F.D., Box No. City State Zip Code

hereby make application for a limited use permit to mine Ditt by the following method:

Type of Mineral(s)

Specify Method: Auger Mining ☐ Dredging ☐ Hydraulic Mining ☒ Pumping ☐

Quarrying ☐ Stripping ☒ Other (specify) _____

Type of perimeter markers to be used: Excavator, Dozer

LEGAL ESTATE AND LEGAL DESCRIPTION

Mine Name or Number Economy Nearest Town Broken Arrow

Section(s) SW Corner of Sect 26 Township 18 North Range 15 East County Wagoner

Name of Landowner: 10986HW51 LLC - Scot Nelson

Landowner Address: 10986 S. 265th E Ave Broken Arrow, OK 74014

Landowner Telephone Number: 918-724-8378

Is the limited use permit application area owned ☐ or leased ☒ by the applicant?

If more than one landowner is involved, please attach a separate sheet with the additional information.

NOTE: NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AFFORD THE DEPARTMENT OF MINES AND MINING AUTHORITY TO ADJUDICATE PROPERTY TITLE DISPUTES.

DEPT. OF MINES
OPERATIONAL SECTION

1. Will this operation involve removing minerals from any boundaries of river or streambed? ☐ Yes ☒ No

If yes, please complete question 2 regarding the type of stream and its name and location. If no, please proceed to question 4.

2a. What is the name of the stream or river? _____

2b. Which of the following classifies this stream or river? Please refer to OAC: 460:10-13-2 for descriptions of each.

☐	High Quality Water (HQW)	☐	Outstanding Resources Waters (ORW)
☐	Scenic river area	☐	None of the above

3. Does the operation overlie sensitive sole source groundwater basin or subbasin? ☐ Yes ☐ No

Please be advised mining cannot be approved in high quality waters, outstanding resource waters or a sole source aquifer under a limited use permit.

4. Will this operation utilize processing equipment? ☐ Yes ☒ No

5. Will this operation utilize explosives? ☐ Yes ☒ No

Please be advised mining cannot be approved for use of processing equipment or explosives under a limited use permit.

RECLAMATION PLAN

USE OF LAND WHEN RECLAMATION IS COMPLETED:
(Check one or more; show acreage)

USE	EST. ACREAGE	USE	EST. ACREAGE
☐ 1. Pasture	_____	☐ 2. Farm Land	_____
☐ 3. Forest	_____	☐ 4. Water Reservoir	_____
☐ 5. Recreation	_____	☒ 6. Industrial	Storage Units
☐ 7. Residential	_____	Explain: _____	_____
☐ 8. Other	_____	Explain: _____	_____
☐ 9. None	_____	Explain: _____	_____

WHAT WILL YOU DO TO MAKE LAND USABLE FOR PURPOSE STATED ABOVE? (Check one or more)

☐ 1. Fill	☐ 2. Level	☒ 3. Grade – approximate date of grading (If unknown, show as unknown)	07/22/24
☐ 4. Other (Explain)	_____		
☐ 5. Plant grass	☐ 6. Sprig or sod grass	☐ 7. Set out trees	_____
☐ 8. Build dam	☐ 9. Stock with fish	☐ 10. Stock with game	_____
☐ 11. None (Explain)	Development of Storage Units		

Does the mineral seam contain acid-forming materials? ☐ Yes ☒ No
If yes, please complete Question #3 of the Attachment forms.

HOW WILL YOU ACCOMPLISH THE ABOVE RECLAMATION PLAN?
Please complete each question on the Reclamation Plan Attachment Forms with details.

REQUIRED RECLAMATION BOND shall be \$3,500.00

1. Revegetation Plan:

(A) Planned soil tests:

None

(B) Site preparation and fertilization:

Grading

(C) Seed and plant selection:

K-31 grass at 75 lb per acre

(D) Rate of Seeding or amount of planting per acre:

SOD

(E) Are there other surface treatments that will be performed to the affected land during reclamation? ☒ Yes ☐ No

If yes, please explain:

Development into Storage Units

1. Describe the method to prevent or eliminate conditions that could be hazardous to animal or fish life in or adjacent to the permit area.

SOD

2. Provide, as a separate document, a closure plan of the mine and permitted facilities to prevent a release of contaminants for being harmful to the environment. **A closure plan is not necessary for all mines**, but is required where the possibility exist for (a) acid forming materials handling or drainage; (b) chemically treated tailings or stockpiles (excludes fertilizer or lime for re-vegetation purpose).

Not Needed

3. Method of control and disposal of mine waster, rock, mineral scrap, tailings, slimes, and other material directly connected with the mining, cleaning, and preparation of mineral substances mined and includes all waste materials deposited on or in the permit area from any source.

NA

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4. Method of reclaiming settling and/or sediment ponds.

NA

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5. For final reclamation, submit information about practices for safety to persons and to adjoining property in all excavations. Identify area of potential danger and appropriate safety provisions. These provisions can but are not limited to setbacks, fencing, signs, benching, guardrails, and boulders.

NA

6. Method Identify structures (e.g. buildings, roads) that are proposed to remain as part of the final reclamation.

Storage Units

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State of Oklahoma
Department of Mines
2915 N. Classen Blvd., Ste. 213
Oklahoma City, OK 73106

NON-COAL LOCATION MAP OF SECTION

The Mining Land Reclamation Act, 45 O.S. 2016 § 721-728

If, for any reason whatsoever, you stop operating at the location you show here, notify the Department of Mines immediately as your liability continues in effect until the Department is notified and/or completed reclamation is approved.

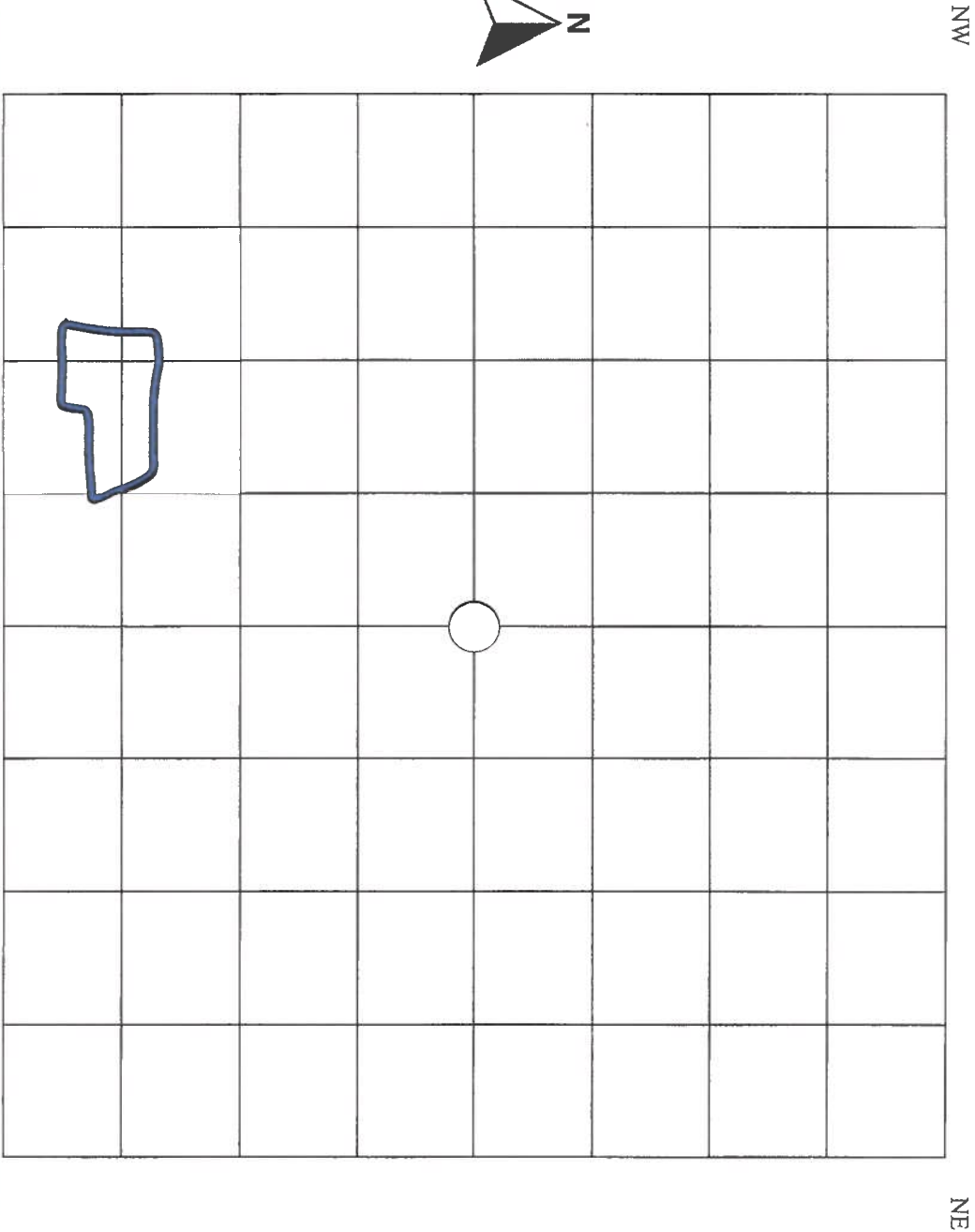
Company: Timber Wolf Excavating LLC

Mineral to be Mined: Dirt

Acres in this Section that will be covered by permit: 2 and bond: 3500.00

Section: 26 Township: 18 Range: 15 County: Wagoner

1. A separate page is needed for every Section.
2. Each One Section is divided into 10-acre tracts.
3. Please show all permitted and bonded acreage.



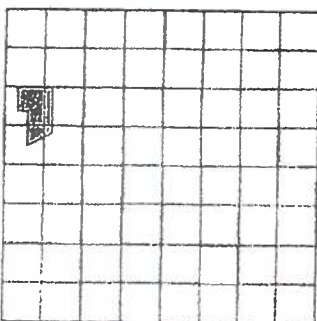
PLOT LOCATION as accurately as possible on map.
NOTE: PLOT ALL TRANSMISSION LINES (gas, water, electric, etc.) in accordance with H.B. 1735 of 1982

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PLAT OF SURVEY



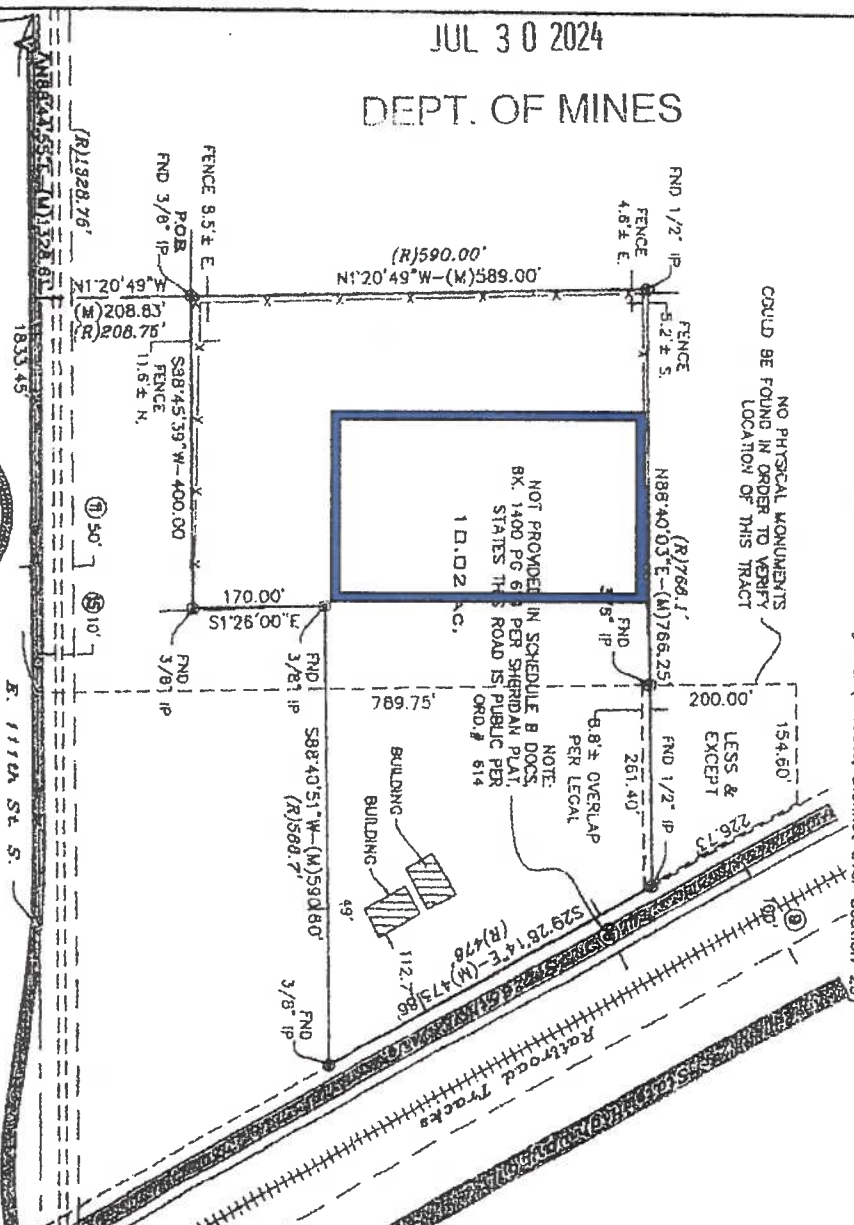
LOCATION MAP
SEC. 26 T.18 N. R. 15 E
SCALE: 1" = 150'
X = FENCE
M = MEASURED
R = RECORD

LEGAL DESCRIPTION (AS PROVIDED)
Beginning at a point 328.75 feet East and 208.75 feet North of SW Corner of Section 26, T.18N, R.15E of the 18.644, Wagoner County, State of Oklahoma; thence North 590 feet; thence East 765.1 feet; thence S28°05'43"E 476 feet; thence West 588.7 feet; thence South 170 feet; thence West 400 feet to the Point of Beginning; LESS AND EXCEPT ANY PART THEREOF which is a part of the following described tract: Beginning at a point 1833.45 feet East and 789.75 feet North of the SW Corner of said Section 26; thence North 200 feet; thence East 154.6 feet; thence S28°05'43"E a distance of 226.72 feet; thence West 261.4 feet to Point of Beginning. Containing 10.02 acres, more or less.

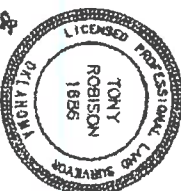
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- ① - Order to Enlarge the Purposes & Powers of Rural Water Dis. #4, Bk. 662 Pg. 539 (Ambiguous, Cannot read legal provided)
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NO PHYSICAL MONUMENTS
COULD BE FOUND IN ORDER TO VERIFY
LOCATION OF THIS TRACT



SW CORNER
SEC. 26, T.18N, R.15E
9/8/2023



BEARINGS ARE BASED ON
NAD83 OKLAHOMA STATE
PLANE COORDINATE SYSTEM.

TONY ROBISON
1886
HEARTLAND SURVEYING &
MAPPING, PLLC
C. #1440
600 Kentucky St., Ste. C
Haskell, Oklahoma 74401
(918) 482-7780

FOR: KOT Properties, LLC,
10886 S. 285th E. Ave., Broken Arrow
DATE: 9/8/2023

W.O.# 11569
SURVEYED BY: AC/BE
DRAWN BY: AM
Last Site Visit: 9/7/2023

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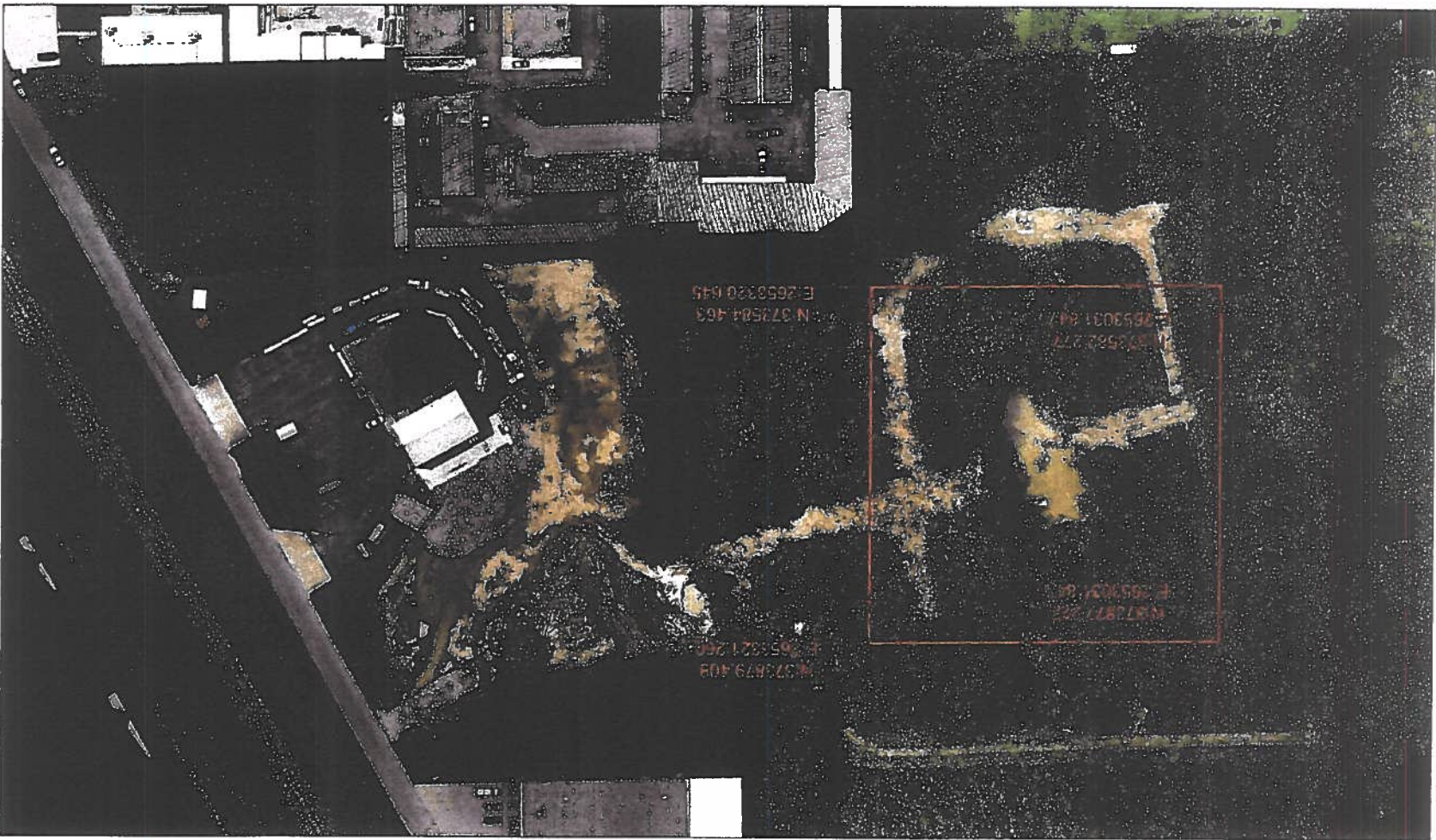
DEPT. OF MINES

Collected by Geo Survey/Geology/Geophysics

ECONOMY SHEDS

Project Reference Number

Sheet No: 1 / 1



Timberwolf Excavating
520 n 45th Place
Broken Arrow, Oklahoma
74013
818-355-7458
www.TwoIX.com

STATEMENT OF CERTIFICATION

I, (Company Official) Jackson Jessop Certify that the (Company, Corporation, Individual(s)) Jackson Jessop has the right and power by Legal Estate owned to mine the land for which this application is made. We hereby certify that all details contained in this application are true and correct to the best of knowledge. We fully understand that any willful misrepresentation of facts will be cause for revocation.

Signature of Company Official [Signature] Position Member
Subscribed and sworn to before me this 24 day of July 20 24
My Commission expires 10/14/2024 Notary Public [Signature]

NOTE: THIS APPLICATION MUST BE SIGNED AND NOTARIZED AND IT MUST BE ACCOMPANIED BY BOND, PERMIT FEE, RECLAMATION PLAN AND MAPS FOR REVIEW AND APPROVAL PRIOR TO ANY DISTURBANCE TAKING PLACE.



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A 10x10 grid of squares. The grid is mostly empty, with a small cluster of dark squares in the bottom-left corner. The dark squares are located at the bottom-left corner, forming a small, irregular shape.

(R) = RECORD

Last Site Visit: 9/7/2023

FILE NAME
2003-12-13
2003-12-13

PLAT OF SURVEY

LEGAL DESCRIPTION (AS PROVIDED)

Beginning at a point 1328.75 feet East and 208.75 feet North of SW Corner of Section 26, T18N, R15E of the I.B.&M., Wagoner County, State of Oklahoma; thence North 590 feet; thence East 766.1 feet; thence S28°05'43"E 476 feet; thence West 588.7 feet; thence South 170 feet; thence West 400 feet to the Point of Beginning, LESS AND EXCEPT ANY PART THEREOF which is a part of the following described tract: Beginning at a point 1833.45 feet East and 789.75 feet North of the SW Corner of said Section 26; thence North 200 feet; thence East 154.6 feet; thence S28°05'43"E a distance of 226.72 feet; thence West 261.4 feet to Point of Beginning. Containing 10.02 acres, more or less.

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- ⑬ -R/W Easement Public Service Company of Okla., Bk.366 Pg.311 (Does Not Affect)

MAP

R 15 E
50'

ON PIN
ENCE
URED
2RD



Wagoner County Assessor

251263-000020-000000
10986 S 265 E AVE10986HW51 LLC
10986 S 265 E AVE
-BROKEN ARROW OK 74014-Total Market Value
\$1,012,653

KEY INFORMATION

Account	730007913	Land Size	10.00 Acres
Class	URBAN COMMERCIAL/IND	School District	(SCT3) Coweta City B.A.
Millage Rate	98.81	2023 Taxes	\$6,178
Homestead	\$0	Neighborhood	520002.4
Quarter	3	Section	26
Township	18	Range	15
Legal Description	26-18-15 BEG AT A PT 1328.75' E & 208.75' N OF THE SW COR OF 26-18- 15 -N590', -E766.1' -S28DEG 05' 43"E 476' -W588.7' -S170' -W 400' TO POB CONT 10AC (COW, CITY ANNEX-CITY)		

ASSESSMENT DETAILS

Land Value	\$511,014
Improvement Value	\$501,639
Manufactured Home Value	\$0
Market Value	\$1,012,653
Taxable Value	\$1,012,653
Gross Assessed Value	\$113,418
Exemptions	\$0
Net Assessed Value	\$113,418

BUILDING DETAILS

COMMERCIAL BUILDING (1)

Appr ID	36278.0	Building Description	100% Lt. Commercial Utility Build. (471)
Total Sq Ft	2,400sf	# Stories	1
Avg Wall Height	16	Avg Perimeter	200
Year Built	2005	Construction Class	4
Exterior Walls	Single Metal on Wood Frame	Roof Type	Gable
Roof Cover	Metal	HVAC	No HVAC
Condition	-	Quality	-

COMMERCIAL BUILDING (2)

MISC IMPROVEMENTS

IMPROVEMENT TYPE	UNITS/SQ FT	EST YEAR BUILT	CONTRIBUTOR
RSPO	32	-	\$623
RSPO	66	-	\$1,286

YARD ITEMS

DESCRIPTION	DIMENSIONS	TOTAL UNITS	YEAR BUILT	CONTRIBUTORY VALUE
Paving, Asphalt 3-6 Inch.	175x80x0	14,000	2005	\$3,203

SALES

SALE DATE	SALE PRICE	DEED BOOK	DEED PAGE	INSTRUMENT TYPE	GRANTOR
09/12/2023	\$1,075,000	2,914	709	GWD	KOT PROPERTIES LLC

LAND

SOIL CODE	DESCRIPTION	USE CODE	LPI	ACRES	AG USE VALUE
No items to display					

