

E A S E M E N T

KNOW ALL MEN BY THESE PRESENTS:

That HENDERSON CIRCLE H LAND DEVELOPMENT CO., LTD, An

Oklahoma Limited Partnership,

for and in consideration of One Dollar and other good and valuable considerations, receipt of which is hereby acknowledged, do (does) hereby grant and convey unto THE CITY OF OKLAHOMA CITY, a municipal corporation, the following described easement(s) located in Oklahoma County, Oklahoma, to-wit:

A part of the SW/4 of Section 20, T13N, R4W, I.M., Oklahoma County, Oklahoma, being more particularly described as follows:

Beginning at a point on the south line of said Section 20, said point being 555.00 feet South 89°19'11" East of the Southwest corner of the said Section 20, thence North 0°14'53" East a distance of 50.00 feet, thence North 89°19'11" West a distance of 330.00 feet, thence South 0°14'53" West a distance of 50.00 feet to a point on the south line of said Section 20, thence, South 89°19'11" East along said South line a distance of 330.00 feet to the point of beginning.

for the purpose of establishing, constructing, and maintaining public streets, public improvements, and utilities as may be necessary from time to time, with right of ingress and egress.

TO HAVE AND TO HOLD the same unto the grantee, its successors and assigns forever, and the said property is to be exclusively used for the establishment, construction, and maintenance of public streets, public improvements, and utilities and for no other purposes whatsoever; and should the grantee abandon the above property for the purposes above stated, then the said easement shall revert to the grantor heirs and assigns herein.

Dated this 17th day of September, 19 84.

HENDERSON CIRCLE H LAND CO., LTD.
An Oklahoma Limited Partnership

By: C. A. Henderson
C. A. Henderson, General Partner

STATE OF Oklahoma

COUNTY OF Oklahoma

Before me, a Notary Public in and for said County and State on this 17th day of September, 19 84, personally appeared C. A. Henderson, to me known to be the identical person who subscribed the name of HENDERSON CIRCLE H LAND CO., LTD., as its General Partner, and acknowledged to me that he executed the same as his free and voluntary act and deed of such partnership, for the uses and purposes therein set forth.

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

My Commission Expires:

6/10/88

Karen M. Pate
Notary Public

ACCEPTED BY THE CITY COUNCIL this 16 day of October, 19 84.

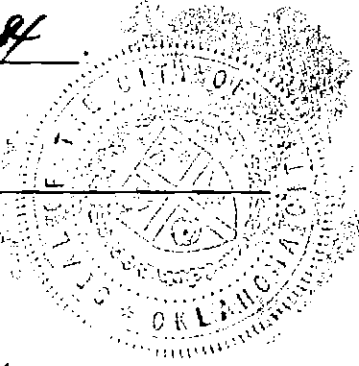
Henry P. Stanley

CITY CLERK

APPROVED as to form this 10th day of Oct, 19 84.

D. P. Morgan

ASSISTANT MUNICIPAL COUNSELOR



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10-16-84

W. H. Hefner

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+E19560

Council Agenda
Item No. VII. A. 8
10/16/84

Ord # 17865

TO: Mayor and City Council

FROM: City Manager

(PC 8391) Application by C.A. Henderson to rezone 7829-7927 W. Hefner Road from "R-1" Single Family Residential District to "C-3" Community Commercial District. (Ward 8)

Proposed Use Commercial

Planning Commission
Recommendation

Approval on September 13, 1984. The Planning Commission suggested that a 17-foot street easement along W. Hefner Road be requested. The easements have been submitted.

Council Vote 5 of 9 to approve

Protest None

The minutes of the pertinent Planning Commission meetings and the Community Development staff reports are attached.

The ordinance for redistricting was introduced September 25, 1984, set for final hearing October 16, 1984, and appropriate notice was published and mailed.


Scott Johnson
City Manager

CB/iss
Attachments

FINDING OF FACTS

On September 13, 1984, PC-8391, Application by C.A. Henderson to rezone 7829-7927 West Hefner Road from the "R-1" Single Family Residential District into the "C-3" Community Commercial District was recommended for approval by a 5 to 0 vote.

Motion was made by Commissioner Banker for the following reason:

This request is in conformance with the Development Guidelines of the Area Plan because large "C-3" tracts are found on either side of this site.

Should this application be approved, an additional 17 feet of right-of-way should be requested along Hefner Road to bring the right-of-way width to the standards set by the Subdivision Regulations in order to provide adequate areas for future street, utility and/or drainage improvements.


Secretary
Oklahoma City Planning Commission

MINUTES

Oklahoma City Planning Commission
September 13, 1984

42. (PC-8391) Application by C.A. Henderson to rezone 7829-7927 West Hefner Road from the "R-1" Single Family Residential District into the "C-3" Community Commercial District.

Seventeen feet of right-of-way should be requested along Hefner Road.

The applicant was present.

Commissioner Banker moved to approve Item 42 because there was "C-3" on the east and west of this. Commissioner McCracken seconded. Ayes: Gatchell, Krous, Smiley, McCracken and Banker. Nos: None. Absent: M. Evans, Carbin and W. Evans. APPLICATION RECOMMENDED FOR APPROVAL.

42. (PC-8391) Application by C. A. Henderson to rezone 7829-7927 West Hefner Road from the "R-1" Single Family Residential District into the "C-3" Community Commercial District. Ward 8.

I. CASE HISTORY

This is a new application.

II. EXISTING ZONING AND LAND USE

SUBJECT SITE: 7.90 acres/"R-1"/vacant
NORTH: "R-2"/vacant
EAST: "C-3"/vacant
SOUTH: "R-4" and "C-3"/apartments and vacant, respectively
WEST: "C-3"/vacant

III. POLICY CONSIDERATIONS

- A. OKC Plan: The Commercial Development Guidelines encourage commercial concentration around section line intersections. Commercial use should not have negative impacts on nearby residential homes.
- B. Area Plan: Up to five acres of neighborhood oriented commercial use is supported per corner of a major intersection. For a proposal for more than five acres of commercial, a need should be demonstrated that the service area and surrounding population warrant a community-scale commercial center. In these instances, the commercial site should be platted, internal landscaping provided and commercial-residential perimeters buffered. Trip generation rates and traffic impacts should be evaluated to assess whether street widening and intersection improvements will be needed from the developer. Use of the Planned Unit Development is encouraged for these purposes.

IV. POLICY IMPLICATIONS

- A. Conformance Issue: "C-3" development at this site would be in conformance with the Area Plan Guidelines due to the established pattern of "C-3" zoning along the north side of Hefner Road on either side of this site.
- B. Alternate: Submittal of a Planned Unit Development that addresses the several design concerns of the Area Plan for commercial use that exceeds the five acre standard would also be in general conformance with the Area Plan Guidelines.

A. Streets and Highways:

STREET DATA					
<u>Street</u>	<u>Class</u>	<u>Paving Type</u>	<u>Paving Width</u>	<u>Existing Right-of-Way From CL</u>	<u>Additional Right-of-Way Requested</u>
Hefner Road	Major Arterial	Asphalt	22' No Curb & Gutter	33'	17'

B. Review Comments:

The Engineering Division submits the following comments:

1. Storm Sewers:

- (a) Detention will not be required.

2. Sanitary Sewers:

- (a) Sanitary sewer facilities are available for connection.

3. Water:

- (a) Water facilities are available.
- (b) Additional fire protection will be required.

This application was also submitted to the following departments, divisions and/or agencies for review and comment:

City-County Health
Airports
Parks and Recreation
*Fire
*Police
*Public Services Department
*COTPA
*Transportation
Schools
*ORED

An asterisk indicates departments, divisions or agencies from which no adverse comments were received.

VI. SUMMARY OF STAFF FINDINGS

A. Unfavorable Considerations:

Approval would bring about significantly greater commercial acreage at this corner than the Area Plan Guidelines recommend and could create the potential for land use, traffic, and parking lot effects on the adjoining area to the north.

B. Favorable Considerations:

This request is in conformance with the Development Guidelines of the Area Plan because large "C-3" tracts are found on either side of this site.

Should this application be approved, an additional 17 feet of right-of-way should be requested along Hefner Road to bring the right-of-way width to the standards set by the Subdivision Regulations in order to provide adequate areas for future street, utility and/or drainage improvements.

CB:mep

CASE NO. PC 8391

APPLICANT: Henderson Circle H. & Travco Developers Inc.

REQUESTED CHANGE: From "R-1" To "C-3"

