

**ORDINANCE NO. 984**

AN ORDINANCE DE-ANNEXING FROM THE CITY OF CLINTON, OKLAHOMA, PROPERTY SITUATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 12 NORTH, RANGE 16 W.I.M., CUSTER COUNTY

**Whereas**, the City Council of the City of Clinton, Oklahoma, deems it proper to de- annex the property herein below described

**Whereas**, the owner of the land lying within the area proposed for de-annexation have submitted a request to the City of Clinton that the subject property be de- annexed by the City of Clinton

**Whereas**, the subject property is hereby described as:

A tract of land lying in the North half of the Northwest Quarter of Section 15, Township 12 North, Range 16 W.I.M., Custer County Oklahoma LESS AND EXCEPT the following tract of land lying in the Northwest Quarter (NW/4) of said Section 15, Township 12 North Range 16 West beginning at a point 330.00 feet East of the Northwest Corner of said Northwest Quarter (NW/C NW/4), said point being on the North line of said Northwest Quarter (NW/4) thence North 89°59'30" East, along said North line, a distance of 330.00 feet, thence South 0°13'10" West, a distance of 660.00 feet, thence South 89°59'30" West, a distance of 330.00 feet, thence North 0°13'10" East, a distance of 660.00 feet to the Point of Beginning

And

The surface interest only in and to the South Half of the Northwest Quarter (S/2 NW/4) of Section 15, Township 12 North, Range 16 W.I.M, Custer County, Oklahoma, subject to Interstate Highway No. 40, easement, **LESS AND EXCEPT the following 3 tracts:**

A tract of land laying in the Northwest Quarter (NW/4) of Section 15, Township 12 North, Range 16 W.I.M., Custer County, Oklahoma, being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter (NW/4) of Section 15, Township 12 North, Range 16 W.I.M.

THENCE North 00°54'57" East, along the East line of the Northwest Quarter(NW/4), a distance of 366.40 feet to the intersection of said East line with the North right-of-way line of Interstate Highway No. 40;

THENCE North 89°21'28" West, along said North right-of-way line, a distance of 1013.51 feet to the POINT OF BEGINNING;

THENCE North 89°21'28" West, along said North right-of-way line, a distance of 40.00 feet;

THENCE North 00°33'24" East a distance of 70.00 feet;

THENCE South 89°21'28" East a distance of 40.00 feet;

THENCE South 00°33'24" West a distance of 70.00 feet to the POINT OF BEGINNING.

Said tract of land contains an area of 2800 square feet or 0.06 acres, more of less, hereinafter referred to as Billboard Site 2,

**AND LESS AND EXCEPT**

A tract of land laying in the Northwest Quarter of Section 15, Township 12 North, Range 16 W.I.M., Custer

County, Oklahoma being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of Section 15, Township 12 North, Range 16 W.I.M.;

THENCE North 00°54'57" East, along the East line of the Northwest Quarter, a distance of 366.40 feet to the intersection of said East line with the North right-of-way line of Interstate Highway No. 40;

THENCE North 89°21'28" West a distance of 2340.21 feet to a point on the North right-of-way line of Interstate Highway No. 40, said point being the POINT OF BEGINNING;

THENCE North 89°21'28" West, along said North right-of-way line, a distance of 40.00 feet;

THENCE North 00°33'24" East a distance of 70.00 feet;

THENCE South 89°21'28" East a distance of 40.00 feet;

THENCE South 00°33'24" West a distance of 70.00 feet to the POINT OF BEGINNING.

Said tract of land contains an area of 2800 square feet or 0.06 acres, more or less, hereinafter referred to as Billboard Site 4.

**AND LESS AND EXCEPT**

A Tract of land laying in the Northwest Quarter of Section 15, Township 12 North, Range 16 W.I.M., Custer County, Oklahoma, being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter (NW/4) of Section 15, Township 12 North, Range 16 W.I.M.;

THENCE North 00°54'57" East, along the East line of the Northwest Quarter a distance of 366.40 feet to the intersection of said East line with the North right-of-way line of Interstate Highway No. 40;

THENCE North 89°21'28" West a distance of 2340.21 feet to a point on the North right-of-way line of Interstate Highway No. 40, said point being the POINT OF BEGINNING;

Thence North 89°21'28" West, along said North right-of-way line, a distance of 40.0 feet;

THENCE North 00°33'24" East a distance of 70.00 feet;

THENCE South 89°21'28" East a distance of 40.00 feet;

THENCE South 00°33'24" West a distance of 70.00 feet to the POINT OF BEGINNING.

Said tract of land contains an area of 2800 square feet or 0.06 acres, more or less, hereinafter referred to as Billboard Site 3.

Together with all the improvements thereon and the appurtenances thereunto belonging, but subject to easements, restrictions, reservations, and right-of-way of record.

**Now therefore**, be it ordained by the City Council of the City of Clinton, Oklahoma.

SECTION 1. The Subject property is hereby de-annexed from the City of Clinton, Oklahoma.

**Passed and approved** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
DAVID BERRONG, Mayor

ATTEST:

\_\_\_\_\_  
LISA ANDERS, City Clerk

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING BOARD  
TUESDAY, JANUARY 9, 2018**

A regular meeting of the Planning and Zoning Board of the City of Clinton, Oklahoma, was held on Tuesday, January 9, 2018, at 9:00 am in the City of Clinton Council Room, City Hall. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on Thursday, January 4, 2018.

Chairman Julie Strong opened the meeting with the following present:

Members present were: Patch McComas, Matt Graybill, Aaron Hemingway and Julie Strong  
Others Present: Lisa Anders, Toby Anders, Amanda Arvizo, Mark Skiles, Leslie Harrison, Peter Wall, Gary and Rita Steffes and others.

**2. CONSIDER MINUTES OF MEETING ON AUGUST 29, 2017 MEETING**

Motion was made by Aaron Hemingway and second by Matt Graybill to approve the minutes of the previous meeting.

Chairman put the motion to roll call vote:

Aye: Hemingway, Graybill, McComas, Strong  
Nay: None

Chairman declared motion carried.

**3. CONSIDER REQUEST OF LESLIE & JAN HARRISON FOR THE DE-  
ANNEXATION OF 20.862 ACRES OF PROPERTY IN THE SOUTH HALF OF THE  
NORTH WEST QUARTER OF SECTION 15, TOWNSHIP 12 NORTH, RAGNE 16  
W.I.M., CUSTER COUNTY, OKLAHOMA**

Chairman Julie Strong explained that three request are brought before the board for de-annexation.

City Clerk Lisa Anders confirmed that notices were sent to property owners within 300 feet of the property and no one has responded to the notice.

Motion was made by Matt Graybill and seconded by Aaron Heminway to approve the request to de-annex.

Chairman put the motion to a roll call vote:

Aye: Graybill, Hemingway, Strong  
Nay: McComas

Chairman declared the motion carried.

**4. CONSIDER REQUEST OF HINZ AUCTION LAND & CATTLE, LLC FOR THE DE-ANNEXATION OF 16.138 ACRES OF PROPERTY IN THE SOUTH HALF OF THE NORTH WEST QUARTER OF SECTION 15, TOWNSHIP 12 NORTH, RANGE 16 W.I.M., CUSTER COUNTY, OKLAHOMA.**

Matt Graybill asked Mr. Hinz why he wants his property de-annexed from the City of Clinton.

Mr. Hinz said that he was not requesting water or sewer service from the city and he would have to meet state codes on his construction. He said his business would not generate sales tax since it is all agricultural.

Motion was made by Graybill and seconded by Hemingway to grant the request for deannexation.

Chairman put the motion to a roll call vote:

Aye: Graybill, Hemingway, Strong

Nay: McComas

Chairman declared the motion carried.

**5. CONSIDER REQUEST OF PETER WALL FOR THE DE-ANNEXATION OF 20.0 ACRES OF PROPERTY IN THE SOUTH HALF OF THE NORTH WEST QUARTER OF SECTION 15, TOWNSHIP 12 NORTH, RANGE 16 W.I.M., CUSTER COUNTY, OKLAHOMA**

Peter Wall said his property would be used for the sale of agricultural equipment and not be a sales tax generating business.

Motion was made by Hemingway and seconded by Graybill to grant the request for deannexation.

Chairman put the motion to a roll call vote:

Aye: Hemingway, Graybill, Strong

Nay: McComas

Chairman declared the motion carried.

**6. CONSIDER REQUEST OF GARY AND RITA STEFFES FOR THE REZONE OF LOT 18, BLOCK 4 MAKER ADDITION, CLINTON, CUSTER COUNTY, OKLAHOMA FROM I-1 RESTRICTED LIGHT INDUSTRIAL DISTRICT TO C-5 HEAVY COMMERCIAL DISTRICT TO ALLOW FOR THE CONSTRUCTION OF A TRUCK REPAIR SHOP (300 NORTH 14<sup>TH</sup>)**

Chairman Julie Strong said the Board of Adjustments had granted a variance to the requirement of 22,000 square feet for rezoning.

Building Inspector Toby Anders said the rezoning to C-5 is for the truck repair business. He said he had measured the lot and reviewed the placement of the building on the lot. He said there are no setback requirements for the C-5 zoning.

Motion was made by Graybill and seconded by Hemingway to approve the rezoning of the property at 300 North 14<sup>th</sup> to C-5 as requested.

Chairman put the motion to a roll call vote:

Aye: Graybill, Hemingway, Strong

Nay: McComas

Chairman declared the motion carried.

#### **6. ADJOURN**

Motion was made by Graybill and seconded by McComas to adjourn the meeting.

Chairman put the motion to roll call vote:

Aye: Graybill, McComas, Hemingway, Strong

Nay: None

Chairman declared the meeting adjourned at 9:32 am