

AGENDA
BOARD OF CITY COMMISSIONERS
August 19, 2013 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

1. Consider approval of Agenda:
2. Consider approval of Consent Agenda:
 - a. Minutes from the August 5, 2013 regular meeting and the August 7, 2013 special called meeting.
 - b. Acknowledge the following minutes and reports:
 - Planning Commission minutes from July 3, 2013
 - License Payment Report for July 2013
 - Project Payment Report for July 2013
 - c. Approve lease agreement with the YMCA for Lions Club Ball Field Complex
 - d. Approve additional funding for court remodeling project
 - e. Approve agreement for the sub-grant of Emergency Management Performance Grant Funds and authorize staff to execute agreement for the sub-grant.
3. Commissioners Comments
4. Citizens Participation

(A three minute limit per person)
(A twelve minute limit per topic)
5. Public hearing and consideration of an ordinance rezoning property located at 5 Mullins Drive, from A-1; Agricultural to R-1; Single Family Residential. Case #P10-13 Applicant: Gary Mullins
6. Public hearing and consideration of an ordinance rezoning property located at 2400 North Harrison from R-1; Single Family Residential to C-3; Automotive, Commercial and Recreation. Case #P11-13 Applicant: Lynn Baucom

7. Public hearing and consideration of an ordinance rezoning property located in the 300 Block, Shawnee Mall Drive from A-1; Agricultural to C-3; Automotive, Commercial and Recreation. Case #P12-13 Applicant: Vintage Dwellings, LLC
8. Consideration of Letter of Intent to enter into partnership with the YMCA on the KABOOM grant for a community built playground at Lions Club in the current location of the YMCA's playground just north of the gymnasium.
9. Consideration and possible action on applications of Linn Operating, Inc. to plug two (2) oil wells.
10. Acknowledge Sales Tax Report received August 2013.
11. New Business
(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)
12. Administrative Reports
13. Adjournment

Respectfully submitted

Phyllis Loftis, CMC, City Clerk

The City of Shawnee encourages participation from its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made. (ADA 28 CFR/36)

Regular Board of Commissioners

2. a.

Meeting Date: 08/19/2013

Minutes August 5 Regular Meeting and August 7 Special Call Meeting

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Minutes from the August 5, 2013 regular meeting and the August 7, 2013 special called meeting.

Attachments

Regular Meeting 8-5-13

Special Call 8-7-13

BOARD OF CITY COMMISSIONERS PROCEEDINGS
AUGUST 5, 2013 AT 6:30 P.M.

The Board of City Commissioners of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in Regular Session in the Commission Chambers at City Hall, 9th and Broadway, Shawnee, Oklahoma, Monday, August 5, 2013 at 6:30 p.m., pursuant to notice duly posted as prescribed by law. Mayor Mainord presided and called the meeting to order. Upon roll call, the following members were in attendance.

Wes Mainord
Mayor

Absent
Commissioner Ward 1

Linda Agee
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Keith Hall
Commissioner Ward 4

John Winterringer
Commissioner Ward 5

Absent
Commissioner Ward 6

ABSENT: Pam Stephens, Steve Smith

INVOCATION

Rev. Amy Perkins
United Presbyterian

FLAG SALUTE

Led by Commissioner Agee

AGENDA ITEM NO. 1: Consider approval of Agenda.

A motion was made by Commissioner Hall, seconded by Vice Mayor Harrod, to approve the Agenda. Motion carried 5-0.

AYE: Hall, Harrod, Mainord, Winterringer, Agee
NAY: None

AGENDA ITEM NO. 2: Consider approval of Consent Agenda:

- a. Acknowledge staff will proceed in the instant meeting with the opening and consideration of bids as set forth in Shawnee Municipal Authority Agenda Item No. 3-c.
- b. Minutes from the July 15, 2013 regular meeting and the July 15, 2013 special called meeting.
- c. Budget Amendment Capital Fund 301
These are rollover's from last year budget for projects that were not completed before year end
- d. Budget Amendment FY 2013-2014 2007 CDBG Entitlement Grant
Appropriate 2007CDBG Entitlement Funds for FY2013-FY2014(Rollover)
- e. Budget Amendment FY 2013- 2014 2010 CDBG Entitlement Grant
Appropriate 2010 CDBG Entitlement Funds for FY 2013-2014 (Rollover)
- f. Budget Amendment FY 2013-2014 2011 CDBG Entitlement Grant
Appropriate 2011 CDBG Entitlement Funds for FY2013-2014 (Rollover)
- g. Budget Amendment FY 2013-2014 2008 CDBG Entitlement Grant Fund
Appropriate 2008 Entitlement Funds for FY2013-2014 (Rollover)
- h. Budget Amendment FY 2013-2014 2012 CDBG Entitlement Grant
Appropriate 2012 CDBG Entitlement Funds for FY 2013-2014
- i. Budget Amendment FY 2013-2014 HOME Rehab Program Income
Appropriate HOME Grant Program Income for Housing Rehabilitation FY 2013-2014 (Rollover)
- j. Acknowledge the following minutes:
 - Shawnee Civic and Cultural Development Authority minutes from May 16, 2013
- k. Approve Memorandum of Understanding with District Attorney's Office, 23rd Judicial District and the Shawnee Police Department for

services to victims of domestic violence and sexual assault – STOP Violence Against Women Grant.

- l. Approve extension of Contract with International Association of Firefighters, Local No. 206.
- m. Accept and approve the SAFER (Staffing of Adequate Fire & Emergency Response) Grant to begin on October 23, 2013.
- n. Acceptance of Harrison and I-40 Median Beautification Project and completion of affidavit for grant reimbursement.
- o. Acknowledge Oklahoma Municipal Retirement Fund refund of contributions from the Defined Contribution plan for Celia Elwell.
- p. Lake Leases Transfer and Renewal:

Transfer:

- Lot 20 Belcher Tract, 33404 Post Office Neck
From: Bill Barnett and Paula Barnett
To: Paula Barnett and Kenneth Smith

Renewals:

- Lot 10 Renfro Tract, 15805 Sleepy Hollow Road
Cindy Woods and Steve Woods
- Lot 3A Johnston Tract, 16804 Magnino Road
Ronald Hughes and Susan Hughes
- Lot 1 Mosler Tract, 16200 Archery Road
Mehdi Azimi

A motion was made by Vice Mayor Harrod, seconded by Commissioner Hall, to approve the Consent Agenda Item Nos. 2(a-p). Motion carried 5-0.

AYE: Harrod, Hall, Winterringer, Agee, Mainord

NAY: None

AGENDA ITEM NO. 3:

Commissioners Comments

Vice Mayor Harrod said that people have told him they are very thankful and appreciative for the new track around the airport.

Mayor Mainord said that the south section of Kickapoo that has been repaved is great and very smooth.

Commissioner Agee requested that a quality of life survey be completed. She said we should consider partnering with Oklahoma Baptist University or someone to get this done. City Manager Brian McDougal said that is trying to get the planning session reconvened for the latter part of August and this can be put on the agenda for discussion.

AGENDA ITEM NO. 4:

Citizens Participation

(A three minute limit per person)

(A twelve minute limit per topic)

Tom Smith spoke regarding Woodland Veterans Memorial Park. He wanted to thank the four men in the Parks Department that have been putting in the pavers and keeping the park mowed. He said they are doing an excellent job.

AGENDA ITEM NO. 5:

Mayor's Presentation of City of Shawnee Beautification Committee Awards to:

- Mabee Gerrer Museum
- Langley Management Company
- Consultant Services LLC
- Kathryn Simon

Dane Pollei with Mabee Gerrer Museum was present to accept the Beautification Committee Award presented by Mayor Mainord.

Patty Smith with Langley Management Company was present to accept the Beautification Committee Award presented by Mayor Mainord.

No one with Consultant Services LLC was present to accept the Beautification Committee Award presented by Mayor Mainord.

Kathryn Simon was not present to accept the Beautification Committee Award presented by Mayor Mainord.

AGENDA ITEM NO. 6:

Discussion, consideration and possible action on a resolution approving the incurrence of indebtedness by the Shawnee Municipal Authority for financing of the Municipal Pool.

The City Manager advised the Commission that they cannot act on this item because there is not a super majority of Commissioners present.

Nate Ellis of Public Law Finance Corporation (PLFC) stated that because competitive bidding was waived, a super majority of Commissioners is required.

This item is being deferred to later on in the meeting to attempt to check the availability of an absent commissioner.

AGENDA ITEM NO. 7:

Discussion, consideration and possible action on an additional 30 day renewal of contract with the Chamber of Commerce regarding Convention and Visitors Bureau while awaiting the completed audit.

(As approved at the May 20, 2013 commission meeting)

A motion was made by Vice Mayor Harrod, seconded by Commissioner Hall, to approve an additional 30 day renewal of contract with the Chamber of Commerce regarding Convention and Visitors Bureau while awaiting the completed audit. Motion carried 5-0.

AYE: Harrod, Hall, Winterringer, Agee, Mainord

NAY: None

AGENDA ITEM NO. 8:

Discussion, consideration and possible action on granting OG&E additional easements along SH102.

City Engineer John Krywicki stated that these are additional easements that Oklahoma Gas & Electric (OG&E) needs for the widening of SH102. The City has a franchise agreement with OG&E that states OG&E can take additional easements if needed for no compensation to the City.

A motion was made by Commissioner Winterringer, seconded by Commissioner Agee, to grant OG&E additional easements along SH102. Motion carried 5-0.

AYE: Winterringer, Agee, Harrod, Mainord, Hall

NAY: None

AGENDA ITEM NO. 9:

Discussion, consideration and possible action on a resolution waiving building permit fees for the repair/reconstruction of structures damaged by the May 19, 2013 storm event.

Resolution No. 6455 was introduced.

A RESOLUTION TEMPORARILY WAIVING BUILDING PERMIT FEES ASSOCIATED WITH STRUCTURES DAMAGED BY MAJOR STORM EVENT OF MAY 19, 2013.

Community Development Director Justin Erickson advised that this resolution is to waive the permit fees for the residents that buildings were damaged by the May 19, 2013 storm event. The residents that have already paid the permit fees will be refunded those fees. The resolution is temporary and will expire on May 19, 2014.

A motion was made by Commissioner Winterringer, seconded by Commissioner Hall, to approve a resolution waiving building permit fees for the repair/reconstruction of structures damaged by the May 19, 2013 storm event. Motion carried 4-0-1.

AYE: Winterringer, Hall, Harrod, Mainord

NAY: None

ABSTAIN: Agee

AGENDA ITEM NO. 10:

Discussion, consideration and possible action on an ordinance temporarily modifying Section 1201.7 of the Shawnee Zoning Code by allowing the repair/reconstruction of a structure damaged by greater than 50 percent.

Community Development Director Justin Erickson advised that this ordinance modifies the non-conforming section of the Shawnee Zoning Code to allow greater flexibility for those individuals that sustained property damage during the May 19, 2013 storm event to rebuild without obtaining conditional use permits or variances. The ordinance is temporary and will expire on May 19, 2014.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Hall, to approve an ordinance temporarily modifying Section 1201.7 of the Shawnee Zoning Code by allowing the repair/reconstruction of a structure damaged by greater than 50 percent.

Ordinance No. 2513NS was introduced.

AN ORDINANCE TEMPORARILY MODIFYING SECTION 1201.7 OF THE SHAWNEE ZONING CODE IMPACTING RESTORATION OF DAMAGED USES.

Motion carried 5-0.

AYE: Harrod, Hall, Winterringer, Agee, Mainord

NAY: None

Ordinance No. 2513NS was adopted by the City Commission.

AGENDA ITEM NO. 11:

Consider Bids:

- a. Exterior Restoration, Exterior Painting and Window Replacement for the Shawnee Municipal Auditorium (Award)

Director of Operations James Bryce announced that two bids were received and after review and consideration it was staff's recommendation to award the bid to Commercial Waterproofing LLC of Broken Arrow, Oklahoma in the total amount of \$112,670.00.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Hall, to accept staff's recommendation and award the bid to Commercial Waterproofing LLC in the total amount of \$112,670.00. Motion carried 5-0.

AYE: Harrod, Hall, Winterringer, Agee, Mainord

NAY: None

AGENDA ITEM NO. 12:

New Business (Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)

There was no New Business.

AGENDA ITEM NO. 13:

Administrative Reports

Police Chief Russell Frantz reported on the new Pro QA Priority Dispatch software that has recently been completed and implemented in the dispatch center. He said that this new system prompts the dispatchers with questions to ask callers relative to what the emergency is.

City Manager Brian McDougal advised he will be out of town on vacation from August 8 through August 20, 2013. He also said that he is trying to get the planning session scheduled for the end of August.

RECESS CITY COMMISSION MEETING BY THE POWER OF THE CHAIR TO CONVENE SHAWNEE AIRPORT AUTHORITY AND SHAWNEE MUNICIPAL AUTHORITY (7:09 p.m.)

COMMISSIONER SMITH ARRIVED AT 7:58 P.M.

RECONVENE CITY COMMISSION MEETING BY THE POWER OF THE CHAIR (8:10 P.M.) TO FULLY ADDRESS AGENDA ITEM NO. 6

AGENDA ITEM NO. 6:

Discussion, consideration and possible action on a resolution approving the incurrence of indebtedness by the Shawnee Municipal Authority for financing of the Municipal Pool.

Resolution No. 6454 was introduced.

A RESOLUTION APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE SHAWNEE MUNICIPAL AUTHORITY (THE "AUTHORITY") ISSUING ITS SALES TAX REVENUE NOTE, SERIES 2013 (THE "NOTE"); PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE INDENTURE, AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID NOTE AND APPROVING THE PROCEEDINGS OF THE

AUTHORITY PERTAINING TO THE SALE OF SAID NOTE; RATIFYING AND CONFIRMING A SALES TAX AGREEMENT BY AND BETWEEN THE CITY OF SHAWNEE, OKLAHOMA (THE "CITY") AND THE AUTHORITY PERTAINING TO THE YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUES; DECLARING AN EMERGENCY; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Smith, to approve a resolution approving the incurrence of indebtedness by the Shawnee Municipal Authority for financing of the Municipal Pool. Motion carried 6-0.

AYE: Harrod, Smith, Agee, Mainord, Hall, Winterringer

NAY: None

AGENDA ITEM NO. 14: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:11 p.m.)

WES MAINORD, MAYOR

ATTEST:

LISA LASYONE, DEPUTY CITY CLERK

BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE
SPECIAL CALLED SESSION

August 7, 2013

The Board of City Commissioners met in Special Called Session at the Comfort Inn, 5400 Enterprise Court, Shawnee, Oklahoma, Wednesday, August 7, 2013 at 2:30 p.m., pursuant to notice duly posted as prescribed by law

Absent
Mayor

Absent
Commissioner Ward 1

Linda Agee
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Absent
Commissioner Ward 4

John Winterringer
Commissioner Ward 5

Steve Smith
Commissioner Ward 6

Absent: Mayor Mainord, Commissioner Stephens, Commissioner Hall

Others in attendance were Bill Geist, City Manager Brian McDougal, City Attorney Mary Ann Karns, City Clerk Phyllis Loftis, Expo Director Mike Jackson, Alan Nichols, Shawnee Police Department, Wayne Trotter of the Countywide News, Convention & Visitors' Bureau Chairman Neal Lindenbaum and Frank Sims.

The Call for said meeting was entered upon the records by the City Clerk, said Call being as follows:

NOTICE OF A CALLED SPECIAL SESSION OF THE BOARD OF CITY
COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA

TO THE CITY COMMISSION OF THE CITY OF SHAWNEE, OKLAHOMA:

You and each of you are hereby notified that by virtue of a call issued by me on this 29th day of July, 2013, a Special Called Session will be held of the Board of Commissioners at the Comfort Inn & Suites, 5400 Enterprise Court, Shawnee, Oklahoma at 2:30 p.m. on August 7, 2013, and you are hereby notified to be present at said meeting.

The purpose of said meeting will be for

(SEAL)

ATTEST:

s/s Phyllis Loftis
PHYLLIS LOFTIS, CMC
CITY CLERK

s/s Brian McDougal
BRIAN MCDUGAL
CITY MANAGER

STATE OF OKLAHOMA, COUNTY OF POTTAWATOMIE, SS.

I received this notice on the 29th day of July, 2013 at 4:49 p.m., and executed the same by delivering a true and correct copy thereof to each of the Commissioners of the City of Shawnee, Oklahoma as follows:

I delivered a true and correct copy to Mayor Wes Mainord
via e-mail at 12:35 o'clock p.m. on July 30, 2013

I delivered a true and correct copy to Commissioner Linda Agee
via e-mail at 5:04 o'clock p.m. on July 29, 2013

I delivered a true and correct copy to Commissioner John Winterringer
via e-mail at 12:47 o'clock p.m. on July 30, 2013

I delivered a true and correct copy to Commissioner Steve Smith
via e-mail at 4:49 o'clock p.m. on July 29, 2013 but no response was received

I delivered a true and correct copy to Commissioner James Harrod
via e-mail at 9:15 o'clock p.m. on July 29, 2013

I delivered a true and correct copy to Commissioner Pam Stephens
via e-mail at 4:49 o'clock p.m. on July 29, 2013 but no response was received

I delivered a true and correct copy to Commissioner Keith Hall
via e-mail at 6:59 o'clock a.m. on July 30, 2013

s/s Phyllis Loftis
City Clerk

CALL FOR SPECIAL SESSION OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA TO BE HELD ON THE 7TH DAY OF AUGUST, 2013 AT 2:30 O'CLOCK P.M. AT THE COMFORT INN AND SUITES, 5400 ENTERPRISE COURT, SHAWNEE, OKLAHOMA. THE PURPOSE OF SAID MEETING WILL BE

BY VIRTUE OF THE AUTHORITY VESTED IN ME BY SECTION 4, ARTICLE IV OF THE CHARTER OF THE CITY OF SHAWNEE, OKLAHOMA, A SPECIAL SESSION OF THE BOARD OF CITY COMMISSIONERS, ARE HEREBY CALLED TO MEET AT THE COMFORT INN AND SUITES, 5400 ENTERPRISE COURT, SHAWNEE, OKLAHOMA AT 2:30 P.M. ON AUGUST 7, 2013,

WITNESS MY HAND THIS 29TH DAY OF JULY, 2013.

s/s Brian McDougal
BRIAN MCDUGAL
CITY MANAGER

(SEAL)

ATTEST:

s/s Phyllis Loftis
PHYLLIS LOFTIS, CMC, CITY CLERK

At the commencement of the meeting, a quorum of four Commissioners was present.

AGENDA ITEM NO. 1: Presentation and discussion with Mr. Bill Geist regarding the Shawnee Convention & Visitor's Bureau (CVB).

Mr. Geist began the discussion by asking commissioners for input regarding the City's current relationship with the CVB. Commissioner Smith stated that he felt the issues between the organizations became problematic when CVB bought property with public funds a few years ago and the property was then "owned" by the Chamber of Commerce. He also stated that he felt it was difficult to obtain information from the Chamber.

Commissioner Winterringer stated that he felt there were still bad feelings between the Chamber and the City because of CVB issues and the resignation of one of their employees.

Areas also discussed between Mr. Geist and Commissioners were whether the CVB was marketing current attractions correctly, whether tourism dollars were being spent wisely, increasing hotel/motel fees, realignment of current fees and the impact of casinos on tourism.

Commissioner Harrod stated that Shawnee needs to determine what it wants to be known for. If it's the rodeo, then more tourism dollars need to be spent at the Expo Center.

At 3:35 p.m. Commissioner Smith left the meeting and a quorum was no longer present.

Regular Board of Commissioners

2. b.

Meeting Date: 08/19/2013

Board minutes and reports

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge the following minutes and reports:

- Planning Commission minutes from July 3, 2013
- License Payment Report for July 2013
- Project Payment Report for July 2013

Attachments

Planning Commission July 2013

License Payment Report July 2013

Project Payment Report July 2013

PLANNING COMMISSION MINUTES

DATE: JULY 3, 2013

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in the Commission Chambers, at City Hall, 9th and Broadway, on Wednesday, July 3, 2013 at 1:30 p.m., pursuant to notice duly posted as prescribed by law. Justin Erickson, Planning Director for the City of Shawnee, presented the staff reports. Staff reports are available upon request.

AGENDA ITEM NO.1: **Roll Call**

Upon roll call the following members were present:
Bergsten, Carter, Turner, Silvia, Salter

Absent: Kirk Hoster

A quorum was declared present and the meeting was called to order.

AGENDA ITEM NO. 2: **Approval of the minutes from the June 5, 2013 Planning Commission Meeting**

Chairman Turner asked for any changes, corrections or additions to the minutes. None were given. Commissioner Bergsten made the motion seconded by Commissioner Silvia to approve the June 5, 2013 minutes.

Motion passed:

AYE: Bergsten, Silvia, Turner, Salter

NAY:

ABSTAIN: Carter

AGENDA ITEM NO. 3: **Swear in Link Cowen**

City Clerk, Phyllis Loftis performed the swearing in ceremony for new Commissioner Link Cowen.

AGENDA ITEM NO. 4:

Citizens' Participation

(A three minute limit per person)

(A twelve minute limit per topic)

Chairman Turner opened the Citizens' Participation and asked if anyone would like to speak. No one came forward.

AGENDA ITEM NO. 5:

Case # P09-13 A public hearing for consideration of approval of a Conditional Use Permit to allow for a manufactured home for property located at 31504 Westlake Road.

Applicant: Tonya Jennings

Chairman Turner called for the staff report. Justin Erickson presented the staff report. The property is five acres which would support a manufactured home on land zoned A-1. Staff recommends approval with the following two conditions:

1. The manufactured home must meet the zoning setback requirements for the A-1 Zone.
2. The home must be the proposed home shown in the application submitted by the applicant or substantially similar in condition.

Chairman Turner opened the public portion. No one came forward.

Commissioner Carter made the motion to approve the Conditional Use Permit with the two conditions outlined by Staff. Second was made by Commissioner Salter.

Motion passed:

AYE: Carter, Salter, Bergsten, Turner, Silvia, Cowen

NAY:

ABSTAIN:

AGENDA ITEM NO. 6:

Case #S06-13 Consideration of approval of a final plat for Wyndemere Addition, Section I located on East MacArthur, West of North Bryan

Applicant: Greg Brown Homes, LLC

Chairman Turner asked for the staff report. Justin Erickson stated this final plat proposed is a portion of the preliminary plat approved earlier. Plans for Phase I are to place 43 single family residential lots on 17 acres. City Engineer has reviewed the final plat. Staff recommends approval with the following modifications and conditions:

1. Construction of public and other site improvements shall be in accordance with the engineering plans reviewed and approved by the City Engineer.
2. The two deviations approved as part of the preliminary plat (Regency Court and Woodlawn Court) are valid and carry to the final plat.
3. A six-foot sidewalk shall be installed along MacArthur Street prior to recording of the Final Plat – Phase I.
4. Common Area “A” and “B” shall be maintained by the developer or homeowner’s association and a copy of the associated covenants shall be submitted concurrent with submittal of the final recorded plat.
5. All lots shall meet the R-1 dimensional standards unless otherwise modified through a variance or Planned Unit Development process.
6. All other applicable City rules and standards apply.

Staff answered questions from the Commission regarding issues presented at the June meeting from adjacent home owners. Lots 9 and 10 will border the agricultural zoned property with farm activity.

Chairman Turner opened the public portion asking if anyone would like to speak for the proposal. Greg Brown, applicant, answered questions from the Commission. He addressed fencing within subdivisions and the individual home-owners choice. Mr Brown stated he has no objection to adding a notation to the covenant regarding the agricultural activity on the joining property.

Chairman Turner asked if anyone would like to speak against the proposal. Connie Bales Brannon, property owner at 2302 N Bryan, voiced concerns about her livestock, pasture and liability issues. Possible fencing options were also discussed.

Chairman Turner asked Staff to address concerns and suggestions presented by both the applicant and adjacent property owner.

Chairman Turner called for a motion. Commissioner Silvia made the motion, seconded by Commissioner Cowen to approve the Wyndemere Addition Final plat with the six conditions recommended by staff and to also include:

7. A note shall be included in the recorded covenants stating that the site is adjacent to A-1 zoned land and that agricultural activities may take place.

Motion passed:

AYE: Silvia, Cowen, Bergsten, Carter, Turner, Salter

NAY:

ABSTAIN:

AGENDA ITEM NO. 7:

Planning Director's Report

Justin Erickson reported several single family home permits were issued in June along with 28 storm shelter permits. The Chamber of Commerce has organized a committee to begin implementation of the downtown revitalization plan. Justin Erickson is a member of the committee and will keep the Commission informed of downtown developments. Staff will consider calling a workshop in August to continue the zoning code revision updates.

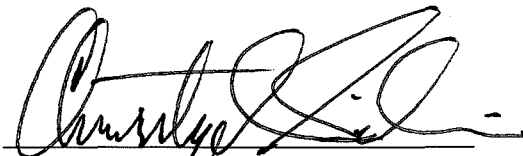
AGENDA ITEM NO.8:

Comments/New Business

AGENDA ITEM NO.9:

Adjournment

Meeting was adjourned.


Chairman/Vice-Chairman

Linda Burg
Linda Burg, Planning Commission Secretary

8/14/2013 1:31 PM
LICENSES: THRU ZZZZZZZZZZ

L I C E N S E P A Y M E N T R E P O R T
SORTED BY: CODE

PAGE:
PAYMENT DATES: 7/01/2013 TO 7/31/2013

** LICENSE CODE TOTALS **

LICENSE CODE	DESCRIPTION		FEE	=====	PAYMENT DISTRIBUTION	=====	TOTAL PAID
				PENALTY	TAX	INTEREST	
ALARM	BURLAR/FIRE ALARM LICENSE	16	290.00CR				290.00CR
BEER1	BEER CONSUMPTION ON PREMISE	10	200.00CR				200.00CR
BEER2	BEER PACKAGE	15	150.00CR				150.00CR
BEERWINE	BEER AND WINE OCCUPATIONAL TAX	1	450.00CR				450.00CR
BOATREGANN	BOATING REGULAR ANNUAL	95	2,470.00CR				2,470.00CR
ELECC	ELECTRICAL CONTRACTOR	17	1,325.00CR				1,325.00CR
FISHANNUAL	FISHING ANNUAL PERMIT	27	405.00CR				405.00CR
HUNT2	MIGRATORY FOWL	2	16.00CR				16.00CR
IMERC	ITINERANT MERCHANT	3	50.00CR				50.00CR
LAKELEASE	LAKE LEASE	18	9,218.00CR				9,218.00CR
LAKENONRES	LAKE LEASE - NON CITY RESIDENT	1	400.00CR				400.00CR
LAKESCHOO	LAKE LEASE - SPECIAL SCHOOL	2	275.00CR				275.00CR
LIQR	RETAIL LIQUOR OCCUPATIONAL TAX	2	1,200.00CR				1,200.00CR
MECHC	MECHANICAL CONTRACTOR	13	1,000.00CR				1,000.00CR
PLUMC	PLUMBING CONTRACTOR	10	850.00CR				850.00CR
RESAL	RESIDENTIAL SALE	158	1,580.00CR				1,580.00CR
SIGN	SIGN HANGERS LICENSE	2	150.00CR				150.00CR
SOLIC	SOLICITOR ANNUAL LICENSE	1	50.00CR				50.00CR
STORM	STORM CELLAR	2	150.00CR				150.00CR
TOTAL			20,229.00CR				20,229.00CR

08/13/2013 1:59 PM
STATUS: ALL
SEGMENT CODES: All
FEE CODES: All

P R O J E C T P A Y M E N T R E P O R T

PAGE: 6
PROJECTS: THRU ZZZZZZZZZZ
PAYMENT DATES: 7/01/2013 TO 7/31/2013
SORTED BY: PROJECT

** GENERAL LEDGER DISTRIBUTION **

FUND G/L ACCOUNT	ACCOUNT NAME	AMOUNT
001-2133	UBCC FEE PAYABLE	448.00CR
001-4202	BUILDING PERMITS	7,118.72CR
001-4203	PLUMBING PERMITS	1,500.00CR
001-4204	ELECTRICAL PERMITS	557.50CR
001-4205	ZONING PERMITS & APPLICATIONS	280.00CR
001-4206	HEATING & A/C PERMITS	1,900.00CR
001-4249	OTHER PERMITS	250.00CR
001-4822	OTHER MISC. REVENUE	56.00CR
101-4249	OTHER PERMITS	125.00CR
501-4510	WATER TAPS	1,500.00CR
799-1023	BANCFIRST GENERAL	13,735.22

08/13/2013 1:59 PM
STATUS: ALL
SEGMENT CODES: All
FEE CODES: All

PROJECT PAYMENT REPORT

PAGE: 4
PROJECTS: THRU ZZZZZZZZZZ
PAYMENT DATES: 7/01/2013 TO 7/31/2013
SORTED BY: PROJECT

** SEGMENT CODE TOTALS **

SEGMENT CODE	DESCRIPTION	TOTAL PAID
B1-NEW	BUILDING CONSTRUCTION NEW	5,120.54CR
B3-REMODEL	BUILDING CONSTRUCTION REM	2,077.18CR
B4-OTHER	BUILDING CAPORT/SHELTER	1,578.50CR
E2-ADD	ELECTRICAL ADDITION	24.50CR
E3-REMODEL	ELECTRICAL REMODEL/REPAIR	596.00CR
M3-REMODEL	MECHANICAL REMODEL/REPAIR	2,048.50CR
P2-ADD	PLUMBING ADDITION	600.00CR
P3-REMODEL	PLUMBING REMODEL	835.00CR
P4-WELL	WELL PERMIT	200.00CR
X-BORE/CUT	BORING & PAVING CUT PERMI	100.00CR
X-CURBCUT	CURBCUT/DRIVEWAY/SIDEWALK	25.00CR
X-DEMO	DEMOLITION PERMIT	50.00CR
X-SIGN	SIGN PERMIT	125.00CR
Z-OCCUP	OCCUPANCY PERMIT	75.00CR
Z-REZONING	REZONING REQUEST	280.00CR
TOTAL		13,735.22CR

Regular Board of Commissioners

2. c.

Meeting Date: 08/19/2013

YMCA Lions Club Ball Field Lease

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Approve lease agreement with the YMCA for Lions Club Ball Field Complex

Attachments

Memo regarding Lease

Lease Area

Letter to revoke to SYAA

Return Receipt SYAA

Lease Agreement

Mayor
WES MAINORD



The City of Shawnee
Office of the Director of Operations

P.O. Box 1448
Shawnee, Oklahoma 74802-1448
(405) 878-1529 Fax (405) 878-1593
www.ShawneeOK.org

Commissioners

PAM STEPHENS
LINDA AGEE
JAMES HARROD
KEITH HALL
JOHN WINTERRINGER
STEVE SMITH

Date: August 14, 2013
To: Mayor and City Commissioners
From: James Bryce, Director of Operations
RE: YMCA Contract for Lions Club

Troy and Dollie Smith Family YMCA contract consideration for the Lions Club Ball field Complex.

Since January of 2009 the City of Shawnee and the SYAA, Shawnee Youth Athletic Association, have had a contract for youth baseball at the Lions Club Ball Field Complex on Federal Street. The City and the SYAA have had a good relationship until this last year when requests for information from the SYAA went unanswered. Staff asked several times for financial information through email and by leaving messages on their phones. Staff also received information that the league had moved all of their games to the new tribal complex on the South side of town. The only thing happening at Lions Club was practice by a few and in order for that to happen, they had to mow their own field. The SYAA was doing nothing to keep the facility up and the facility got ran down. This is when City staff decided to revoke the lease and move on. To this day, staff still has not heard from the league. The letter sent to the SYAA is attached to this memo.

City staff is recommending that the City enter into contract for the use of the facility with the Troy and Dollie Smith Family YMCA. Staff feels that due to the close proximity of the facility to the YMCA and the interest the YMCA has in using the facility that this would be a good relationship.

On August 17th, The Lions Club civic group, the YMCA, and volunteer city staff are meeting at the facility to clean, mow, and weed eat. Any volunteers are welcome come help out.



Mayor WES MAINORD 	The City of Shawnee PO Box 1448 Shawnee Oklahoma 74802-1448 (405) 273-1250 Fax (405) 878-1581 www.ShawneeOK.org	Commissioners PAM STEPHENS LINDA AGEE JAMES HARROD KEITH HALL JOHN WINTERRINGER STEVE SMITH
--	---	--

Shawnee Youth Athletics Association,

The City of Shawnee would like to thank you for your services supplying the residents of Shawnee with a great recreational program at the Shawnee Lions Club Ball Fields these past years. I feel that SYAA and the City of Shawnee have had a great working relationship in the past but due to the list of items I am providing in this letter, you that your lease is being revoked.

1. This past season the fields and surrounding area have not been maintained;
2. Backstops are in disrepair;
3. Grounds and trash containers have not been picked up and emptied on a regular basis;
4. Fields have not been used for season games, maybe some practices;
5. Communication has been poor to none;
6. Despite many requests for financials, I have not received them.

We are requesting that you remove all personal items from the premises by **5:00 pm on July 31, 2013** and hand over all keys to:

1. Concession building and restrooms;
2. All locks on the gates surrounding the fields;
3. Maintenance building on the south end of the property;

All correspondences can be sent through the mail to:

City of Shawnee
PO Box 1448
Shawnee, Ok 74802
Attn: James Bryce



By: Phyllis Loftis
Phyllis Loftis, CMC, City Clerk
n:\attorney\parks dept\revocation letter to syaa.doc

CITY OF SHAWNEE, A Municipal Corporation

By: [Signature]
Brian E. McDougal, City Manager

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

CITY OF SHAWNEE

JAMES BRYCE

PO BOX 1448

SHAWNEE, OK 74802-1448

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RUSS OLIVER
1919 N. OKLAHOMA
SHAWNEE, OK 74804

2. Article Number

(Transfer from service label)

7012 1640 0001 3252 8345

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☐ Agent☒ Addressee

B. Received by (Printed Name)



C. Date of Delivery

6-28-13

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

AGREEMENT

This Agreement ("Agreement") is entered into between the CITY OF SHAWNEE, a municipal corporation ("City") and the Troy and Dollie Smith Family YMCA, a non-profit Oklahoma corporation ("YMCA"), collectively the ("Parties").

WHEREAS the City is the owner of public property and facilities known as Lions Club Park, in the City of Shawnee, Pottawatomie County, State of Oklahoma, and;

WHEREAS the City recognizes that the sports fields and facilities located at Lions Club Park shall be used for certain recreational purposes for the benefit of the health, safety and welfare of the residents of the of the City of Shawnee, and;

WHEREAS, it is the desire of the parties to set out in detail the rights and responsibilities of the parties regarding the operations of the youth sports program and the use of City property.

NOW, THEREFORE, in consideration of the covenants, terms and conditions herein contained, the City and the YMCA agree as follows:

1. The City hereby grants the right and privilege to the YMCA to use the facilities and property located generally at Lions Club Park, City of Shawnee, Pottawatomie County, State of Oklahoma, hereinafter jointly referred to as the "Property", and specifically, the areas marked on the attached maps."

2. This Agreement shall commence on August 19, 2013 and end on December 31, 2013 unless sooner terminated in accordance with the express provisions of this Agreement or renewed as provided in this section. This Agreement shall automatically renew for successive one (1) year terms at the end of the Original Term and each subsequent renewal term, unless revoked in writing by the City or the YMCA, by November 1st of the then-current renewal term. It is further agreed that either of the Parties shall have the right and privilege of terminating this Agreement at any time in the event of a material default by the other Party, upon giving sixty (60) days notice, in writing, delivered by certified mail, to the other Party of its intention to terminate provided the other party fails to cure, or commence the taking of actions designed to cure, such default within such sixty (60) day time period. In the event this Agreement is terminated, all rights and interests of the Parties hereto shall thereupon cease. Upon termination of this Agreement, the YMCA shall retain all rights to maintenance equipment, concession equipment, and all other items not considered permanent structural improvements or not purchased by the City. Any and all structures which have been placed or constructed on the Property by the YMCA shall become the property of the City unless otherwise mutually agreed to in writing by the City and the YMCA. The Parties acknowledge that the YMCA shall pay to the City a sum of one dollar (\$1.00) on the first day of January every calendar year as lease payment for use of the Property. The Parties acknowledge that at the time of execution of this agreement there have been no permanent improvements constructed by the YMCA.

3. Before any changes are made in the improvements and structures, and before the

construction of any permanent building, the YMCA shall obtain approval from the City's Parks Department for such changes or construction costing Twenty-five Thousand Dollars (\$25,000) or less. All changes or construction costing in excess of Twenty-five Thousand Dollars (\$25,000.) shall require the approval of the City Commission.

4. It is agreed that the Property area is to be used by the YMCA solely for the purposes of recreation and education, and development of sports skills, primarily for the purpose of playing, training and promoting various sports, and associated supportive services. Any other use of the Property area must be approved by the City. If the YMCA makes the property available for use by others, the YMCA shall prepare fields for play and determine costs and assess such costs against such entities using the property.

5. The YMCA shall not assign this Agreement, or any interest herein, or sublet any portion of the Property area without the consent of the City Operations Director or designee. The YMCA may grant permission and authority to any entities to occupy and use the Property area for any supportive services necessary for YMCA or for the conduct of a sport not sponsored by YMCA. YMCA will be responsible for informing all other entities using the City fields of the rules and obligations for the use of the fields.

6. The YMCA will hold the City harmless and exempt from any damage or injury to persons or any damage to property of every kind arising from the management and use of the Property area by the YMCA, its invitees, employees, representatives and

successors from the failure of the YMCA to keep the Property and ball fields area and structures in good condition and repair or for any negligent or intentional act committed by YMCA, its employees, officers, successors and assigns resulting in injury of any kind.

7. The YMCA, at its expense, shall keep in force, during the term of this Agreement, general liability insurance issued by an insurance company authorized to conduct business in Oklahoma by the Oklahoma Insurance commissioner. The insurance will be in a form acceptable to the City Attorney and City Manager for the City, for the protection of the City and the YMCA against all liabilities, judgments, costs, damages and expenses which may accrue against, be charged to, or recovered from City, on account of any matter or thing which may occur on the Property, excluding Participants who will not be covered during the actual participation in an event, in a general liability policy or policies in the amount of one million dollars (\$1,000,000.00). The use of the fields by any entity other than YMCA will require that entity to comply with the requirements of this paragraph for the obtaining of insurance. The insurance obtained will include a rider for the City and YMCA to be covered by the policy.

8. The YMCA will provide all maintenance to all game fields, including restrooms, the concession areas and the areas adjacent thereto; all janitorial and sanitizing service and supplies; refuse receptacles and liners to be disposed of on an as needed basis; field supplies and service including chalk, paint, and other equipment; turf and infield supplies. Major repairs to facilities such as replacing buildings, roofs, sewer lines, major water line breaks, parking lot repairs, painting of buildings, and fencing

replacement, and other repairs traditionally within the responsibility of the "landlord", will be the responsibility of the City at no cost to the YMCA. The YMCA will be responsible for repair of sprinkler heads when necessary, minor repairs to the concession building, replacement of food preparation equipment, minor plumbing repairs such as clogged toilets, clogged sink drains, toilet and sink replacement and light bulb replacement. The YMCA shall be responsible for ensuring that trash is picked up from dugouts, bleachers and grounds after games and deposited into containers provided by the YMCA. The setting and purchase of bases, yardage markers, flags and such equipment as is necessary shall be the responsibility of the YMCA. Field maintenance equipment such as infield drags, motorized carts, shovels, rakes mowers and the like, purchased by the YMCA, shall remain the property of the YMCA. The YMCA shall exercise a high degree of care in ensuring playing surfaces are continually in good repair during the term of this agreement. The City shall be charged for electric services, solid waste services, sewer and water for the Property, including, but not limited to, field lighting, concession building and field storage facilities. The YMCA will exercise reasonable efforts to conserve electric and water usage. For night games, the YMCA will use lights for only those fields in which games will be played and for the safety of the participants.

9. The YMCA will exercise reasonable efforts to make its customers aware of parking regulations during YMCA activities to assist the City in an effort to insure that the ground and vegetation of the Property, and adjacent premises, is not damaged by vehicles being driven or parked in places other than those defined by signage or in the plan as road or parking areas.

10. The YMCA agrees to provide activities, primarily for Shawnee area schools and City of Shawnee youth, within age groups designated by the YMCA, without discrimination as to race, religion, color, creed, sex or national origin. Said activities will include leagues for all levels of play to include open and recreational leagues, for all sports. Under normal conditions, YMCA activities will not be scheduled to start after the hours of 10:30 p.m., on Sundays through Thursdays, and 11:00 p.m., Fridays and Saturdays.

11. If any person believes that the YMCA has violated the provisions of this Agreement, and has exhausted all appeal procedures through the YMCA Board, that person may file a written complaint with the Director of Operations or designee. The Director of Operations or designee shall so advise the YMCA, provide it with a copy of the complaint, and give the YMCA ten (10) days to consult with counsel and file a written response with the Director or designee. Thereafter, the Director of Operations may, if he/she deems prudent, conduct an investigation into the situation, and within thirty (30) days of the response by the YMCA, advise of a ruling on the matter by either a written report to the Community Service Contract Review Committee or to be handled internally by the Director of Operations, if possible. If a written report is submitted to the Community Service Contract Review Committee, the Committee will make a recommendation which will be submitted to the City Commission to resolve the dispute or rectify the situation. Failure of the YMCA to follow the directions so given by the City Commission or Director of Operations may result in the termination of this Agreement (without further notice).

12. The City Operations Department may designate one (1) person to serve as a

non-voting, advisory to the YMCA Board. Alternatively, the YMCA may designate one (1) person to serve as liaison between the YMCA and the City Parks Department to address issues regarding maintenance and program administration. The YMCA will provide the City and the Director of Operations, semi-annual financial statements and reports of business activities. The YMCA shall inform the Director of Operations of changes to league rules and By-Laws in its semi-annual report after the change becomes effective. There shall be ultimate City Commission review for capital improvements in excess of twenty five thousand dollars (\$25,000.00). The YMCA shall permit City or City's designee to conduct a financial review of its operations at any time per discretion of the City.

13. The YMCA shall maintain a local contact, accessible to the City and the public at reasonable hours and otherwise make arrangements to accommodate the working public to the extent necessary for registration and similar activities. The contact will be responsible for disseminating all administrative and operational functions to include management, registration, access to all records that are subject to disclosure pursuant to Title 51 O.S. §24A.1, et seq., known as the Oklahoma Open Records Act, and access to the operational staff.

14. This Agreement shall only be amended in writing by the mutual consent of the YMCA and the City. In the event that anyone or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, the other provisions of the Agreement shall not be affected. The Agreement shall be construed as if the valid, legal, or enforceable provisions for the Agreement were not affected, and the Agreement shall be construed as if the invalid, illegal, or

unenforceable provisions had never been contained therein. No terms inconsistent with this Agreement shall be deemed binding on the parties. This Agreement contains all essential terms necessary to accomplish the purposes expressed by the parties and any other prior agreements, written or oral, consistent or inconsistent with the terms herein, are hereby rendered null and void. The parties also agree that this Agreement is fully integrated, embracing all essential terms necessary to carry out the purpose stated herein.

IN WITNESS HEREOF the City of Shawnee, and Troy and Dollie Smith Family YMCA, by their representatives, set their hands to this Agreement on the ____ day of August, 2013.

The City of Shawnee, Oklahoma

BY: _____
Brian E. McDougal, City Manager

ATTESTED:

Phyllis Loftis, CMC, City Clerk

The Troy and Dollie Smith Family YMCA

By: _____
PRESIDENT/CHAIRMAN

ATTEST:

CLERK

APPROVED AS TO FORM AND LEGALITY ON THE 19TH DAY OF AUGUST, 2013
BY MARY ANN KARNS, CITY ATTORNEY.

MARY ANN KARNS, CITY ATTORNEY

Regular Board of Commissioners

2. d.

Meeting Date: 08/19/2013

Court Remodeling Project

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Approve additional funding for court remodeling project

Attachments

Additional Funds for Court Remodel

Mayor
WES MAINORD



The City of Shawnee
Office of the Director of Operations

P.O. Box 1448
Shawnee, Oklahoma 74802-1448
(405) 878-1529 Fax (405) 878-1593
www.ShawneeOK.org

Commissioners

PAM STEPHENS
LINDA AGEE
JAMES HARROD
KEITH HALL
JOHN WINTERRINGER
STEVE SMITH

Date: 8/15/2013
To: Mayor and City Commissioners
From: James Bryce, Director of Operations

RE: Approve additional funding for court remodel

To keep in compliance with bidding regulations, staff needs commission approval to add additional work and costs to the Court Remodel project.

In order to improve the work environment and efficiency of the court area in City Hall and to comply with ADA standards, Staff took bids on remodeling the court area. Staff knew going into the project that we were going to be below the \$25,000.00 mark that requires the City to do competitive bidding. After receiving the bids for the project, staff and contractor had meeting to discuss scheduling for the project and what needed to be done to insure that the process went smooth and that the court area was back up and operational quickly. As we did our walk through, additional work was noted that would further improve the ADA accessibility and improve security of the area. This would take moving the main door off the lobby further west into the hallway and installing a roll down security gate over the payment window.

It is staff's recommendation to do the additional work and we are asking for Commission approval to go over our \$25,000.00 competitive bidding limit.

Funding for this project is budgeted in the 2013/2014 fiscal year.

Account # 301 5-0320-5420 425 0320-01 \$33,000.00

Oklahoma Construction

Base bid is \$24,990.00

Additional \$7,500.00 for added work

Total project cost \$32,490.00

Alternate bids for complete project including additional work:

Garner Construction \$39,595.00

Mike Little Construction \$39,816.00

Regular Board of Commissioners

2. e.

Meeting Date: 08/19/2013

EM sub grant approval

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Approve agreement for the sub-grant of Emergency Management Performance Grant Funds and authorize staff to execute agreement for the sub-grant.

Attachments

Emergency Management Grant

City of Shawnee Memorandum

To: Honorable Mayor and City Commissioners
Through: Brian McDougal, City Manager *D.L.*
From: Donald D. Lynch, Emergency Management Director
Date: August 14, 2013
Re: Agreement for Sub-Grant from Oklahoma Dept. of Emerg. Mgmt.



NATURE OF THE REQUEST:

I am writing to request your approval of an agreement for the sub-grant of Emergency Management Performance Grant funds from the Oklahoma Department of Emergency Management.

STAFF ANALYSIS /CONSIDERATIONS:

The City Commission approved staff applying for this grant on January 7, 2013.

This is the same grant we apply for and have been fortunate enough to receive each year for the past several years. The Scope of Work is getting more rigorous and reporting requirements more lengthy. Still, we are able to accomplish the work required under this agreement and have completed many of the tasks outlined already.

The delay in actual grant awards is a result in the delay in the Federal Emergency Management Agency receiving their final budget mark-up from Congress and The President. We were operating on Continuing Resolution for much of the first half of the year.

A copy of the award letter and the agreement is attached for your review.

RECOMMENDATION:

Staff recommends approval.

BUDGET CONSIDERATION:

This will provide revenue of \$44,834.00 to the General Fund to help offset the cost of administration of our emergency management program. .

Thank you for your favorable attention to this request.

ALBERT ASHWOOD
STATE DIRECTOR



MARY FALLIN
GOVERNOR

STATE OF OKLAHOMA
DEPARTMENT OF EMERGENCY MANAGEMENT

May 16, 2013

Donald Lynch
Pottawatomie Co/ Shawnee EM
P.O. Box 1448
Shawnee, OK 74802

Dear Mr. Lynch:

I am pleased to inform you that your application for Emergency Management Performance Grant (EMPG) funding has been approved in the amount of \$44,834.00 for Federal Fiscal Year (FFY) 2013. The award is contingent on verification of the required match. Just as future EMPG awards to the State of Oklahoma are not guaranteed future awards to local jurisdictions are not guaranteed. **FFY 12 SLA Sub-Grant recipients who have not closed out their scope of work will not receive FFY 13 payments.**

Twenty-five percent (25%) of the award will be paid following the receipt of the executed SLA agreement. The remaining payments will be based on the following schedule; Second Quarter (25%) and Third Quarter (25%). These payments will be made following the completion of a documented field assistance visit conducted by and Area Coordinator. The Fourth Quarter payment of 25% will be made following the receipt of the jurisdiction's written close-out report.

The enclosed agreement will need to be adopted by the governing body for your jurisdiction and both copies signed by the Chairman of that body. You will need to have this item placed on the agenda of the next available meeting of the governing body. The Chairman's signature will need to be attested to by the Clerk/Secretary and an official seal affixed. **One complete copy is for your records and only the signature page needs to be uploaded to Web EOC.**

If we can be of assistance to you, please contact your Area Coordinator or Steve Palladino, Chief Field Services Division (405) 521-2481.

Sincerely,

A handwritten signature in black ink, appearing to read "Albert Ashwood".

Albert Ashwood
State Director



**AGREEMENT FOR THE SUB-GRANT OF
EMERGENCY MANAGEMENT PERFORMANCE
GRANT PROGRAM FUNDS**

This agreement is entered into by and between **The State of Oklahoma Department of Emergency Management**, hereinafter referred to as OEM, and The City of Shawnee, Oklahoma, hereinafter referred to as the Political Subdivision. **Witnesses that** OEM and the Political Subdivision for the considerations named agree as follows:

Article 1. Authorized Representatives

The Director of OEM shall be the representative for the agency authorized to complete work and negotiate changes to this agreement. The Director of Emergency Management for the Political Subdivision shall be the representative for the Political Subdivision authorized to complete work and negotiate changes to this agreement. The Political Subdivision will, on a form provided by OEM, identify a Director of Emergency Management for the Political Subdivision, an alternate, and the Director of Emergency Management for the Political Subdivision's official mailing address. The Director of Emergency Management for the Political Subdivision will serve as the Political Subdivision's official point of contact (POC), responsible for reporting on, or responding to inquiries regarding the four (4) phases of emergency management (mitigation, preparedness, response and recovery) to include incident reporting.

Article 2. Duration

This agreement shall be in full force and effective at 12:01 a.m. on October 1, 2012 by both parties and terminating at 12:00 p.m. on September 30, 2013, unless terminated by either party prior to that time, in writing.

The OEM may extend the term of this Agreement by giving written notice to the Political Subdivision 30 days prior to the end of this Agreement.

If the OEM exercises this option, the extended Agreement shall be considered to include this option provision.

The total duration of this Agreement, including the exercise of any options under this clause, shall not exceed three years.

Article 3. Purpose

The purpose of this agreement is to provide a 50/50 sub-grant with a portion of the funds awarded to the State of Oklahoma under the Federal Emergency Management Agency (FEMA)'s Emergency Management Performance Grant (EMPG) program. The EMPG program encourages the development of comprehensive emergency preparedness system for all hazards by the State and local governments.

Article 4. Authorities

The authorities for this award are:

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. § 5121 et. Seq. (the Stafford Act); Title 44, Code of Federal Regulations (CFR), Part 302, et. Seq.; U.S. Department of Homeland Security Presidential Directive 5 (HSPD-5); Oklahoma Emergency Management Act 2003, 63 O.S. 683. 1 et. Seq.; State Administrative Plan adopted by the Oklahoma Department of Emergency Management.

Article 5. Trafficking in Persons

A. Provisions applicable to a recipient that is a private entity.

1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not:
 - a. Engage in sever forms of trafficking in persons during the period of time that the award is in effect;
 - b. Procure a commercial sex act during the period of time that the award is in effect;
or
 - c. Use forced labor in the performance of the award or subawards under the award.
2. We as the State awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity:
 - a. Is determined to have violated a prohibition in paragraph A.1 of this award term;
or
 - b. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph A.1 of this award term through conduct that is either;
 - i. Associated with performance under this award; or
 - ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement)," as implemented by our agency at 2 CFR Part 3000.

B. Provisions applicable to a recipient other than a private entity. We as the State awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:

1. Is determined to have violated an applicable prohibition in paragraph A.1 of this award term; or
2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph A.1 of this award term through conduct that is either:
 - a. Associated with performance under this award; or
 - b. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement),” as implemented by our agency at 2 CFR part 3000.

C. Provisions applicable to any recipient.

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph A.1 of this award term.
2. Our right to terminate unilaterally that is described in paragraph A.2 or B of this section:
 - a. Implements section 106(g) of the Trafficking Victims Protection Act 2000 (TVPA), as amended (22 U.S.C. 7104(g), and
 - b. Is in addition to all other remedies for noncompliance that are available to us under this award.
3. You must include the requirements of paragraph A.1 of this award term in any subaward you make to a private entity.

D. Definitions. For purposes of this award term:

1. "Employee" means either:
 - a. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - b. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
2. "Forced labor" means labor obtaining by any of the following methods: the recruitment, harboring, transportation, provisions, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
3. "Private entity" means:
 - a. Any entity other than a State, local government, Indian Tribe, or foreign public entity, as those terms are, defined in 2 CFR 175.25.
 - b. Includes:
 - i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian Tribe at 2 CFR 175.25(b).
 - ii. A for-profit organization.
4. "Severe forms of trafficking in person," "commercial sex act," and "coercion" have the meaning given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

Article 6. National Environmental Policy Act (NEPA)

The recipient shall comply with all applicable Federal, State, and local environment and historic preservation (EHP) requirements and shall provide any information requested by FEMA to

ensure compliance with applicable laws including: National Environment Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11990) and Environmental Justice (12898). Failure of the recipient to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding.

Recipients shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Recipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbance activities occur during project implementation, the recipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office. Any construction activities that have been initiated prior to the full environmental and historic preservation review could result in non-compliance finding. For your convenience, here is the screening form link:

(The Screening Form is available at:

www.fema.gov/doc/government/grant/bulletins/infor329_final_screening_memo.doc). For

these types of projects, grantees must complete the FEMA EHP Screening Form (OMB Number 1660-0115/FEMA Form 024-0-01) and submit it, with all supporting documentation, to OEM.

Grantees should submit the FEMA EHP Screening Form for each project as soon as possible upon receiving their grant award.

Article 7. Scope of Work Priority for FY 2013

Advancing *“Whole Community” Security and Emergency Management*. As the county experiences threats of terrorism attacks (foreign and domestic) and natural disasters,

communities are challenged to develop collective, local abilities to withstand the potential impacts of these events, respond quickly, and recover in a way that sustains or improves the community's overall well being. Achieving this collective capacity calls for innovative approaches across the community. This includes emergency management building up existing practices, institutions, and organizations that help make local communities successful, and that can leverage this infrastructure if and when an incident occurs.

Minimum Task/Activity Requirements

To address the priorities the following activities are the minimum task requirements that shall be completed by the Political Subdivision:

- A. ANNUAL WORK PLAN:** The Annual Emergency Management Work Plan that was submitted to Oklahoma Department of Emergency Management as part of the Grant Application defines what the Political Subdivision shall accomplish during each quarter to obtain their quarterly grant payment. Changes to the Annual Work Plan may be requested in writing by either party and must be agreed upon by both parties.

Measurement Method:

The Political Subdivision will submit progress reports to OEM on the completions of their Annual Emergency Management Work Plan.

Reporting:

The Political Subdivision will enter quarterly progress reports on completion of their Annual Work Plan to WebEOC.

If changes are needed the Political Subdivision will make the changes approved by OEM to their Annual Work Plan and upload corrected Annual Work Plan to WebEOC.

Standardized Reporting through the Work Plan Template: The Work Plan Template has been modified to standardize data collection for improved analysis and reporting. The Work Plan Template includes four components: a Personnel Data Table, a Training Data Table, an Exercise Data Table, and a Grant Activities Outline. The Personnel Data Table and the Grant Activities Outline will form the basis of the Quarterly Performance Progress Report. The Grant Activities Outline is structured to enable reporting of quarterly activities according to Emergency Management Function (EMF) projects, as well as standardized reporting of activity completion status. Quarterly training and exercise activities will be reported in the Grant Activities Outline under EMF number 13 and number 14.

B. **EMERGENCY OPERATIONS PLAN.** In the process of updating the Emergency Operations Plan (EOP) the Political Subdivision shall enlist representatives of the whole community to form an Emergency Management (EM) Planning Group. The EM Planning Group should include County and City leadership or appointees. Members of Fire, Police, EMS and Sheriff Departments, Public Works, Utilities, Health, LEPC, VOAD, Tribes, Public Schools and Universities, Jurisdiction's legal counsel and members of the public who may be able to contribute should be included in the Planning Group. Keeping in mind that all EOPs must be updated at least once every two years utilizing FEMA's Comprehensive Preparedness Guide CPG 101 v2 which can be found at

http://www.fema.gov/pdf/about/divisions/npd/CPG_101_V2.pdf

Measurement Method:

The Political Subdivision will report progress toward making their EOPs compliant with CPG 101 v.2 by completing the "Plan Analysis Tool" available at <http://www.fema.gov/prepared/plan.shtm>

Reporting:

Grantees are required to submit the above referenced Plan Analysis Tool annually and include quarterly updates on percentage completion of CPG 101 v2 compliance to OEM via WebEOC.

Grantees are required to submit Sign-in sheets for all meetings, promulgation sheets for each part of the EOP, and an approval page signed by the chief elected official/s to OEM via WebEOC.

The Political Subdivision shall distribute changes, and a new Approval Page to all who have copies of the plan and provide OEM with an electronic format of the EOP uploaded to WebEOC.

C. HAZARD MITIGATION PLAN: The Hazard Mitigation Plan will be updated.**Measurement Methods**

A FEMA approved Hazard Mitigation Plan.

Reporting

Political Subdivision shall submit their Hazard Mitigation Plan to OEM by uploading it to WebEOC.

D. TRAINING AND EXERCISES: The Political Subdivision shall develop and maintain multi-year training and exercise plans (TEPs).

1. States and Urban Areas are required to conduct an annual Training and Exercise Plan Workshop (TEPW). All Political Subdivisions are required to develop a Multi-Year TEP that incorporate linkages to the National Preparedness Goal (NPG) and update it annually. Specifically, TEPs should include the following requirements:

- a. All State and Local Assistance (SLA) Grant Political Subdivisions will develop and maintain a progressive exercise program consistent with the National Exercise Program base plan, to include no less than four exercises of any type (e.g. Drills, Tabletop Exercises, Functional), and one full-scale exercise within a 12-month period. The Political Subdivision will not use the same exercise scenario in more than one exercise per year. If a federally declared disaster occurs within the Political Subdivision's jurisdiction, and the local Emergency Management participates, this participation can be used as one of the annual exercises. However, the Emergency Manager must complete and upload an After Action Report-Improvement Plan (AAR-IP) to Web-EOC. In addition, all SLA Grant funded personnel shall participate in no less than three exercises in a 12-month period. An After Action Report/Improvement Plan (AAR/IP) shall be completed for each exercise and uploaded to WebEOC. A summary of all collected corrective action items and a tracking of their implementation shall be reported as part of the SLA Grant quarterly reporting.

Measurement Methods

All exercises should comply with the minimum standards as set forth by the Department of Homeland Security's (DHS). For All Exercises the Political Subdivision will:

- a. Notify the Area Coordinator of the date of the initial exercise planning meeting so they can make arrangements to attend.
- b. Two weeks before the exercise date, provide the Area Coordinator with a copy of the Exercise Plan that includes the scenario, timelines, maps etc.

- c. Develop an exercise evaluation form that contains at a minimum, instructions for evaluating the jurisdiction's Alert/Notification, Communications, Coordination and Control, Resource Management and Warning functions.
- d. Following the exercise, conduct a post exercise After Action Review and develop an After Action Report and Improvement Plan (AAR/IP). The Exercise Plan and AAR/IP will be uploaded to WebEOC.

Political Subdivisions may receive credit for participation in a multi-jurisdiction full-scale exercise.

For Full-Scale Exercises the Political Subdivision will:

- a. The Jurisdiction's Emergency Operations Center (EOC) or alternate EOC **must** be activated as a part of the exercise. An EOC is defined as a designated facility from which key elected and appointed officials and liaisons from supporting organizations can direct and control a community's operating forces, disseminate official public information, and allow for face-to-face coordination among personnel. Jurisdictions may utilize mobile or transportable EOCs, which are capable of performing the same critical functions as the fixed EOC. A "Command Post" vehicle cannot serve as an EOC although it can serve in conjunction with the alternate EOC.

Reporting

The Political Subdivision must report quarterly to OEM utilizing WebEOC the number and type of exercises that the Political Subdivision conducted or was a participant.

- 2. Training activities with SLA Grant funds should align to a target capability identified in the Multi-Year TEP. All SLA Grant funded personnel shall complete the following

training requirements and record proof of completion within 12 months of employment. National Incident Management System (NIMS) Training: IS 100; IS 200; IS 700; and IS 800; FEMA Professional Development Series: IS 139; IS 230.a; IS 235; IS 240.a; IS 241.a; IS 242 and IS 244. The SLA Grant personnel must attend the Emergency Manager Academy hosted by OEM in Oklahoma City, an appropriate Regional Workshop, and the Emergency Management Conference. In lieu of the Emergency Manager Academy the Emergency Management Director may attend Emergency Management Courses to reach a total of 32 hours of classroom time. Courses substituted for the Emergency Manager Academy must be oriented to Emergency Management to be eligible. Final decision of eligibility of these substitute courses is held by OEM.

Measurement Methods

The Political Subdivision will submit an updated TEP to OEM by uploading it in WebEOC.

The percentage of completion of the required courses and academy as listed above.

Certificates of Completion for both Workshop and Conference

Reporting

The Political Subdivision is required to share with OEM a TEP that includes a progressive exercise plan and schedule, and a plan for training personnel.

The Political Subdivision will submit a list of courses supplied, as well as a list of courses and academies attended, and the personnel that completed training, in their quarterly report on WebEOC.

The Political Subdivision shall supply documentation of activities to OEM by uploading scanned documents to WebEOC.

Information related to TEPs and TEPWs can be found on the HSEEP website at <https://hseep.dhs.gov>

- E. COMMUNITY PREPAREDNESS:** The Political Subdivision is to conduct at least one Community Preparedness item per quarter. Activities could include, newspaper articles, talks on preparedness to schools and or civic groups, programming weather radios etc. Remember to include all the Emergency Response Agencies'/Organizations' preparedness efforts in the reports.

Measurement Methods

Copies of articles, agendas, sign in sheets, pictures, journal of actions taken depending on community preparedness action taken.

Reporting

List activities and supply documentation of activities to OEM by entering information and uploading scanned documents to WebEOC.

- F. LEPC:** The Political Subdivision shall participate in a County-wide Local Emergency Planning Committee (LEPC) or help establish one if none is currently functional.

Measurement Methods

Agendas, minutes of meetings, copy of sign-in sheets.

Reporting

The Political Subdivision shall supply documentation of activities to OEM by uploading scanned documents to WebEOC.

G. COUNTY PROFILE: The Political Subdivision in collaboration with the County Emergency Management Director shall enter the following information about their County in WebEOC:

- County Information:
 - County Emergency Management Director: Name and Contact Information
 - County Emergency Management Director Alternate: Name and Contact Information
 - County Emergency Management Director Second Alternate: Name and Contact Information
 - Physical Location of the County Emergency Operations Center (EOC) [This not the Emergency Management Director's Office].
 - Physical location of the Emergency Operations Center should include both the physical street address and the Latitude and Longitude Coordinates
 - EOC Liaison information: Agency/Organization, Name, Contact Information and list of resources they control (Make sure to include Electric Power Suppliers)
 - Shelters: Location including latitude and longitude, type of shelter, managed by agency/organization, and backup power supply (yes/no)
 - Task Forces and Strike Teams available for Mutual Aid dispatch: Description including capabilities/credentials, and Point of Contacts: name and phone number.
 - Rental Companies and what they can supply
- Political Subdivision information:

- Emergency Management Director: Name and Contact Information
- Emergency Management Director Alternate: Name and Contact Information
- Emergency Management Director Second Alternate: Name and Contact Information
- Physical Location of the Emergency Operations Center (EOC) [This not the Emergency Management Director's Office].
- Latitude and Longitude of the EOC.
- EOC Liaison information: Agency/Organization, Name, Contact Information and list of resources they control

Article 8: Sub-Grant Administration

Beginning with the first quarter, each SLA-Political Subdivision will be visited a minimum of twice each year by an Area Coordinator (AC) or other representative of OEM. However, a minimum of one (1) progress report will be prepared and filed each quarter by the Political Subdivision by utilizing WebEOC. Each scope of work line item shall be addressed as

- Completed
- Needs to be completed
- Not Applicable

The jurisdiction, if it elects to, may attach additional year-to-date accomplishments or activity summaries to the file and to WebEOC.

The Field Visits shall be conducted at a mutually agreed date, time and location during the quarter:

- 1st Quarter: October 1, 2012 – December 30, 2012
- 2nd Quarter: January 1, 2013 – March 31, 2013
- 3rd Quarter: April 1, 2013 – June 30, 2013
- 4th Quarter (Closeout): July 1, 2013 – September 30, 2013

- A. A record of each field visit will be recorded on the Political Subdivision's WebEOC SLA entry page by the Area Coordinator with the Closeout being printed and signed by the AC.
- B. Other duties as assigned. Any tasking which OEM receives from Department of Homeland Security (DHS), FEMA or any other federal agency and which is emergency management related and which requires the assistance of the Political Subdivision shall also be considered as part of the required tasking elements under the sub-grant.
- C. Audit Letter. If the Political Subdivision receives \$500,000 or more in Federal funds in Federal Fiscal Year 2013, they are responsible for compliance with the provisions of the Single Audit Act Amendments of 1996. That Political Subdivision shall submit a copy of their audit letter signed by the auditor for Federal Fiscal Year 2013 to OEM.

Article 9: Time of Completion

All work shall be completed by the Political Subdivision during Federal Fiscal Year 2013, with the exception that the auditor's opinion letter which accompanies the jurisdictions annual audit must be submitted as soon as the audit is completed.

Article 10: Suspension of Sub-Grant/Debarment from future awards

If the Political Subdivision fails to complete the agreed scope of work they may be barred from participation in the sub-grant program for the following Federal Fiscal Year.

Article 11: General Provisions

- A. All work shall be completed in a professional manner and in compliance with all applicable laws.

- B. To the extent required by law, individuals duly licensed and authorized by law to do so shall perform all work.
- C. The Political Subdivision warrants that it is adequately insured for injury to its employees and others incurring loss or injury as a result of the acts of the Political Subdivision or its employees or agents.
- D. The Political Subdivision agrees that neither it nor its employees or agents are covered under insurance paid for by the State of Oklahoma, and are not authorized to obligate the State of Oklahoma, its employees or agents.
- E. The Standard Assurances for Federal Funds submitted by the Political Subdivision, as part of their application package, are hereby referenced and incorporated into this agreement.

Article 12: The Contract Price and Payment Terms

- A. OEM shall pay the Political Subdivision for the work performed under this agreement the sum of 44,834.00 Dollars subject to the following terms and conditions:
 - 1. Payment in the amount of 25% will be made by OEM for the First Quarter after January 15, 2013 following receipt of the fully executed agreement.
 - 2. Payment in the amount of 25% will be made for the Second Quarter after April 15, 2013.
 - 3. Payment in the amount of 25% will be made for the Third Quarter after July 15, 2013.
 - 4. Following October 15, 2013, Project close-out documentation will be retained for a period consistent with the jurisdictions records retention policy but not for a period of less than four (4) years.
 - 5. Final payment will be contingent on the Area Coordinators close-out review upon closeout. Project close-out documentation will be retained for a period consistent with

the jurisdictions records retention policy but not for a period of less than four (4) years.

- B. OEM shall provide to the Political Subdivision technical assistance in fulfilling this agreement to the extent resources are available.

Article 13: Funding Guidelines

SLA Grant funds can only be used for the purpose set forth in this contract. All SLA Grant fund expenditures must be accounted for and follow this funding guidance. Grant funds may not be used for matching funds for Federal grants/cooperative agreements, lobbying, or intervention in Federal regulatory or adjudicatory proceedings. In addition, SLA grant funds may not be used to sue the Federal government or any other government entity.

A. Allowable Costs

Planning

FY 2013 SLA Grant funds may be used for a range of emergency management planning activities.

Planning activities may include, but are not limited to, the following:

- Twenty-five percent (25%) of the SLA Grant monies must be spent toward planning.
- Community-based planning to advance “whole community” security and emergency management.
- Conducting hazard analysis and risk assessment.
- Development of HIRA that reflects a representative make up and composition of the jurisdiction.
- Maintaining a current Hazard Mitigation Plan that includes the HIRA.
- Maintaining a current EOP that conforms to the guidelines outlined in CPG 101v.2.

- Developing/enhancing comprehensive emergency management plans.

Training

FY 2013 SLA Grant funds may be used for a range of emergency management-related training activities to enhance the capabilities of local emergency management personnel through the establishment, support, conduct, and attendance of training. Training activities should align to a current, Multi-Year TEP developed through an annual TEPW.

Allowable training related costs include the following:

- Funds used to develop, deliver and evaluate training,
- Overtime,
- Travel,
- Hiring of full or part-time staff or contractors/consultants, and
- Certification/recertification of Instructors.

Exercises

Exercises implemented with grant funds should evaluate performance of the capabilities required to respond to the exercise scenario. Exercises should align to the current, Multi-Year TEP developed through the annual TEPW. Political Subdivision is encouraged to develop exercises that test their EOPs.

Allowable exercise-related costs include:

- Funds used to design, develop, conduct and evaluate an exercise,
- Hiring full or part-time staff or contractors/consultants,
- Travel,
- Supplies, and
- Other items.

Unauthorized exercise-related costs include:

- Reimbursement for the maintenance and/or wear and tear costs of general use vehicles (e.g., construction vehicles) and emergency response apparatus (e.g., fire trucks, ambulances). The only vehicle costs that are reimbursable are fuel/gasoline or mileage.
- Equipment that is purchased for permanent installation and/or use beyond the scope of exercise conduct (e.g., electronic messaging signs).

Durable and non-durable goods purchased for installation and/or use beyond the scope of exercise conduct.

Maintenance and Sustainment

The use of FEMA preparedness grant funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable under all active and future grant awards, unless otherwise noted.

Fiscal year 2013 grant funds are intended to support the NPG and fund projects that build and sustain the capabilities necessary to prevent, protect against, mitigate the effects of, respond to, and recover from those threats that pose the greatest risk to the security of the Nation. In order to provide grantees the ability to meet this objective, the policy set forth in GPD's Information Bulletin 336 (Maintenance and Sustainment) has been expanded to allow for the support of equipment that has previously been purchased with both Federal grant and non-Federal grant funding. The eligible costs for maintenance and sustainment must be an otherwise allowable expenditure under the applicable grant programs, and be tied to one of the core capabilities in the five missions areas contained within the NPG and be deployable through EMAC, where applicable.

Organization

The SLA Grant is a 50/50 matching Grant.

SLA Grant funds may be used for all-hazards emergency management operations, staffing, and other day-to-day activities in support of emergency management.

Personnel costs, including salary, overtime, compensatory time off, and associated fringe benefits, are allowable costs.

Management and Administration (M&A) costs are allowable for Local-levels EMAs.

The local EMAs may retain and use up to five percent (5%) from the State for local M&A purposes.

Equipment

In accordance with 44 CFR 13.32, allowable equipment categories for the Fiscal Year 2013 EMPG Program are listed on the web-based version of the Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB), which is sponsored by FEMA at <http://www.rkb.us>. Unless otherwise stated, equipment must meet all mandatory regulatory and/or FEMA-adopted standards to be eligible for purchase using these funds. In addition, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

The select allowable equipment includes equipment from the following AEL categories.

- Information Technology (Category 4)
- Cyber-Security Enhancement Equipment (Category 5)
- Detection Equipment (Category 7)
- Power Equipment (Category 10)
- Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) Reference Materials (Category 11)

- Physical Security Enhancement Equipment (Category 14)
- Other Authorized Equipment (Category 21)

B. Unallowable Costs

- Expenditures for weapons and ammunition,
- Costs to support the hiring of sworn safety officers (sworn law enforcement officers),
- Activities unrelated to the completion and implementation of the SLA Grant, and
- Other items not in accordance with the portions of the allowable costs listed above.

Article 14: Amendments

Any alterations or deviations to this agreement shall be executed only upon written agreement of both parties, and if there is a change to the agreement award for such alteration or deviation, it shall be noted.

Article 15: Waiver of Scope of Work Line Items

During the performance period of the Sub-Grant, only (1) waiver relieving the jurisdiction from having to complete a basic scope of work line item (I-VIII) may be approved. In no case will a Sub-Grant recipient be permitted to request a waiver for the same scope of work line item in two consecutive years.

Article 16: Termination

This agreement may be cancelled by either party by providing 15 days notice in writing to the other party.

Article 17: Audit Clause

In accepting this agreement, the Political Subdivision agrees to this audit clause which provides that books, records, documents, accounting procedures, practices, or any other items of the Political Subdivision relevant to the agreement are subject to examination by FEMA, OEM, the State of Oklahoma and the State Auditor and Inspector.

Article 18: Non-Collusion

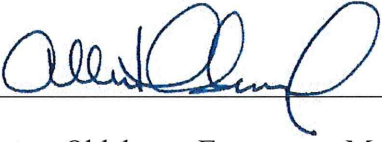
In accepting this agreement, the Political Subdivision acknowledges that they have not paid, given, or donated or agreed to pay, give, or donate to any officer or employee of the State of Oklahoma any money or other thing of value, either directly or indirectly, in procuring this agreement.

Article 19: Attachments

The SLA Sub-Grant Application is incorporated by references a part of this agreement. As proof of compliance with Federal regulations, the following documents as contained in Part 4, Standard Assurances, of the sub-grant application is incorporated by reference as part of this agreement:

- A. Completed FEMA Form 20-16, Summary Sheet for Assurances and Certification,
- B. Completed FEMA Form 20-16A, Assurances for Non-Construction Programs,
- C. Completed FEMA Form 20-16C Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements,
- D. Completed Standard Form LLL, Disclosure of Lobbying Activities.

Approved by OEM this 16 Day of May, 2013 by:



Director, Oklahoma Emergency Management

Approved by the Governing body of the The City of Shawnee, Oklahoma

this _____ day of _____, 2013.

Signed:

Chief Elected Official

Regular Board of Commissioners

5.

Meeting Date: 08/19/2013

Rezoning Case #P10-13

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Public hearing and consideration of an ordinance rezoning property located at 5 Mullins Drive, from A-1; Agricultural to R-1; Single Family Residential. Case #P10-13 Applicant: Gary Mullins

Attachments

Rezoning P10-13

Ordinance P1-13

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Gary Mullins
FOR: Rezone
LOCATION: 5 Mullins Drive
PROJECT#: 130792 Case# P10-13

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION: A-1; Agricultural
REQUESTED CLASSIFICATION: R-1; Residential
PROPOSED PROPERTY USE: Rural Residential

PLANNING COMMISSION MEETING DATE: August 7, 2013

PLANNING COMMISSION RECOMMENDATION: Approval

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: _____

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
BERGSTEN						ABSENT
CARTER		X	X			
HOSTER			X			
TURNER (CHAIRMAN)						ABSENT
SILVIA (VICE-CHAIRMAN)			X			
COWEN	X		X			
SALTER			X			

RESPECTFULLY SUBMITTED,

Linda Burg

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

STAFF REPORT
REZONE
CASE #P10-13

TO: Shawnee Planning Commission

AGENDA: August 7, 2013

RE: CASE #P10-13; Rezone Request, A-1 to Residential (not specified)

PROPOSAL

The applicant is requesting to rezone the subject site of 7.8 acres (approximate) to facilitate the sale of an existing house with less than 5 acres and the development of one or more additional lots. The property is north of Granada Drive, just east of Bryan Street. The site is presently zoned A-1: Agricultural.

GENERAL INFORMATION

Applicant	Gary Mullins
Owner	Clarence Mullins Trust
Site Location/Address	5 Mullins Drive
Current Site Zoning	A-1 – Agricultural
Proposed Zoning District	Residential (R-1 or RE)
Parcel Size	7.8 acres
Proposed Use	Residential, Rural Residential
Comprehensive Plan Designation	Residential
Existing Land Use	Rural Residential
Surrounding Land Use	<u>North</u> : Church

	<u>South:</u> Rural Residential <u>West:</u> Vacant <u>East:</u> Rural Residential
Surrounding Zoning	<u>North:</u> A-1-Agricultural, C-1-Commercial <u>South:</u> RE-Rural Estate <u>West:</u> A-1-Agricultural <u>East:</u> RE- Rural Estate

STAFF ANALYSIS AND FINDINGS

The subject property is currently zoned A-1: Agricultural and is surrounded by rural and rural residential properties with some limited agricultural activities taking place (see Figures 1-2). The site has access to City water service, but there is no City sewer service in the vicinity. The applicant has requested a zoning classification of “residential” and the rezone was officially noticed with a proposed designation of R-1, since this would be the most-dense single family residential zone. However, due to non-existent public sewer service, the most appropriate zoning classification would be Rural Estate (RE), which would permit lots as small as one acre.

According to the Shawnee Comprehensive Plan (Figure 3), the subject property is designated for low-density residential use, as is the property surrounding the site. As noted in the Comprehensive Plan, “Within the *Residential* category, conventional one-family detached dwellings represent the primary use.” The surrounding area includes predominately rural residential development and the property is at the edge of the Grenada rural residential development.

Staff does hereby recommend the proposed zone change as it is compatible with the Shawnee Comprehensive Plan and the proposed residential use is consistent with neighboring properties. Because there is no public sewer in the vicinity of the property, a zoning designation of RE is most appropriate.

RECOMMENDATION

Staff recommends **approval** of the proposed rezone from *A-1: Agricultural* to *RE: Rural Estate* for the subject property.

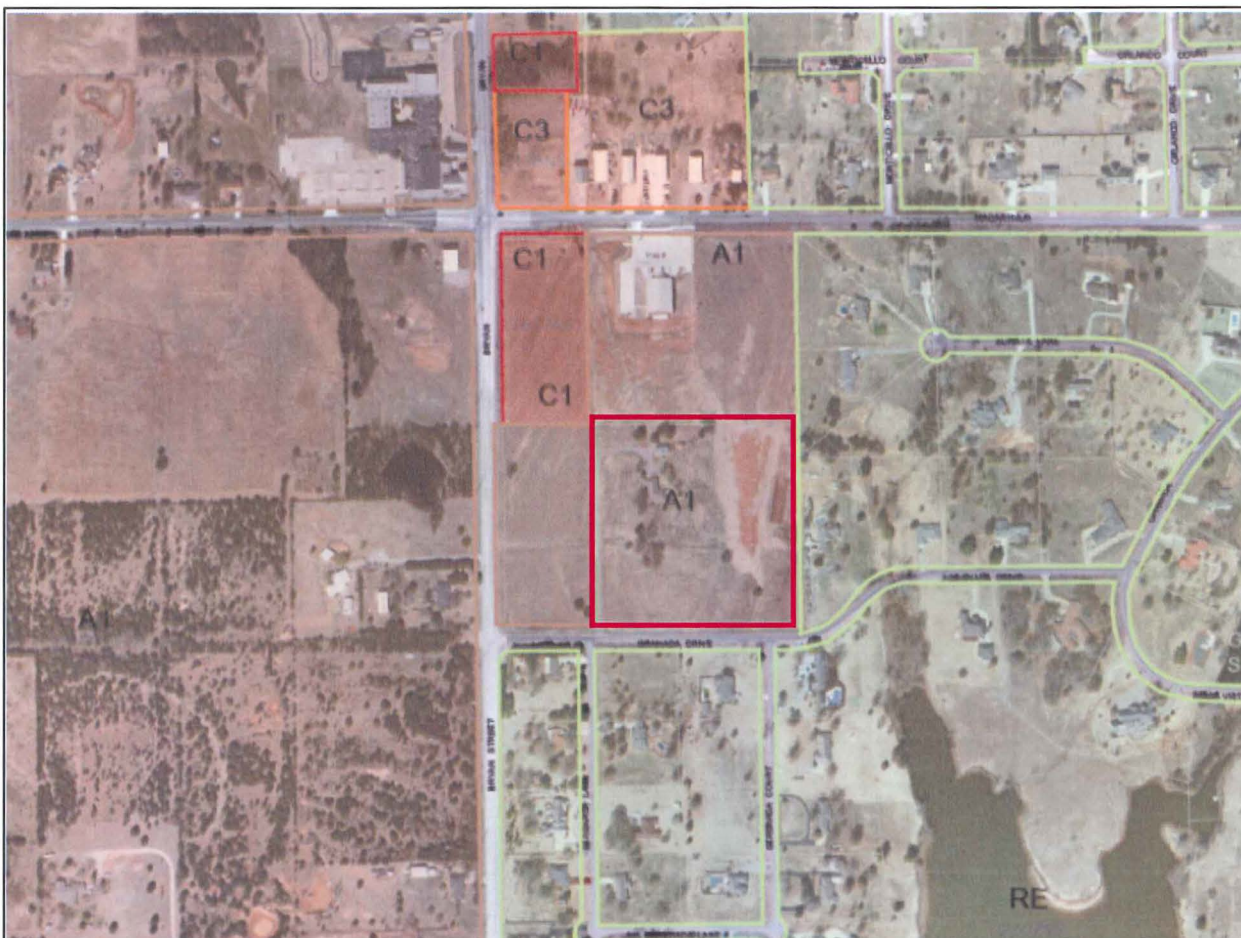


Figure 1: Zoning map, with site outlined in red.



Figure 2: Aerial view of site and surroundings.

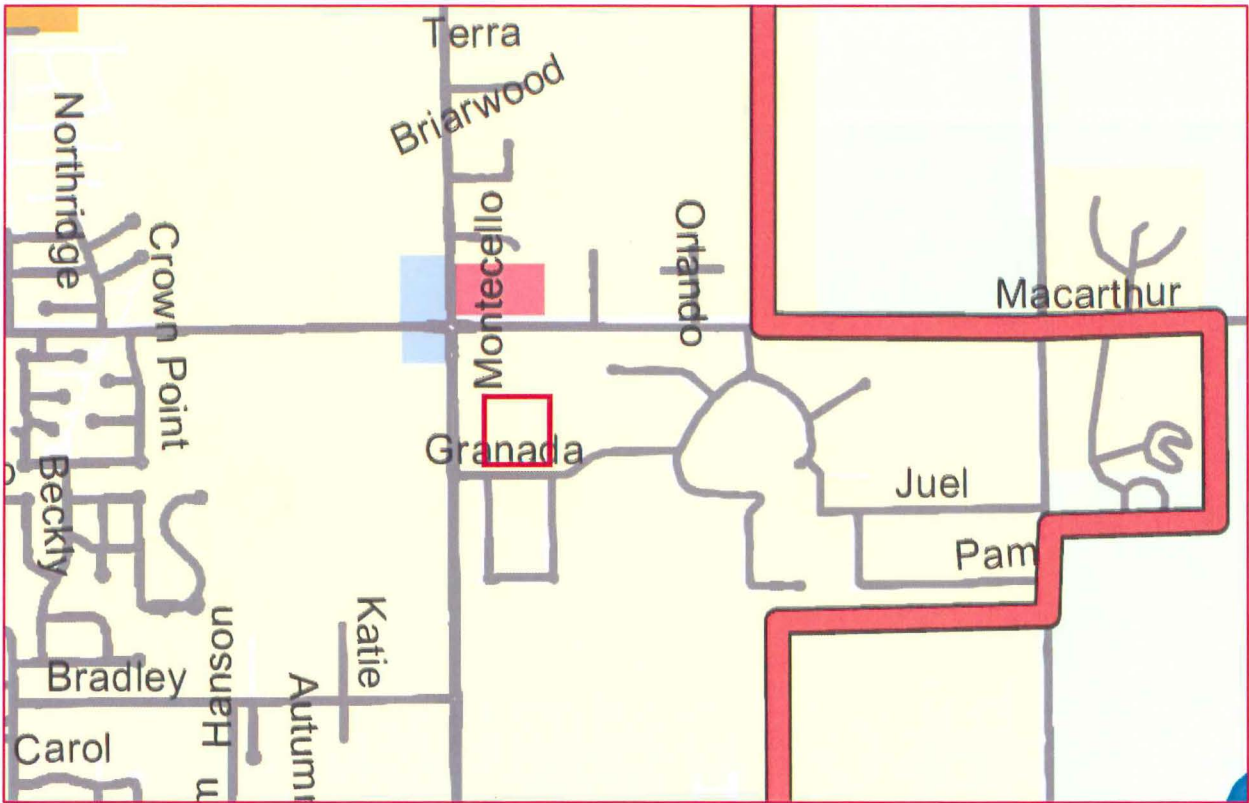


Figure 3: Future Land Use Map, with proposed zone change demarcated (shown: residential).

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P10-13

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed Rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

The East Half of the Southwest Quarter of the Northwest Quarter of the Northwest Quarter (E/2 SW/4 NW/4 NW/4) and the West Half of the Southeast Quarter of the Northwest Quarter of the Northwest Quarter (W/2 SE/4 NW/4 NW/4) of Section Nine (9), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, LESS a tract of land described as beginning at the Southwest Corner of Lot 63, GRANADA COUNTRY ESTATES, to the City of Shawnee; thence Southwesterly on a curve to the right, having a radius of 202.76', chord bearing of S88°34'03"W, chord distance of 21.58', for an arc distance of 21.59'; thence N88°22'52"W for a distance of 121.71'; thence N01°01'20"E for a distance of 659.56'; thence S88°14'21"E for a distance of 143.00 feet; thence S00°59'53"W for a distance of 658.06' to the point of beginning.

General Location Known As:	<u>5 Mullins Drive</u>
Current Zoning Classification:	<u>A-1; Agricultural</u>
Requested Zoning Classification:	<u>R-1; Residential</u>
Proposed Use of Property:	<u>Single Family Dwellings</u>
Applicant:	<u>Gary Mullins</u>

The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.

The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

August 07, 2013	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
August 19, 2013	AT 6:30 P.M.:	CITY OF SHAWNEE CITY COMMISSION

At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone will be allotted equal time. Any formal protest must be filed in writing with the City Clerk during normal working hours before 5:00 p.m. a minimum of three (3) days prior to the hearing. If there are any questions about the proposal, or you need additional information prior to the public hearing, please contact the Planning Department at 878-1616. A copy of the application is available for public inspection during normal working hours in the Planning Secretary's office at 222 N. Broadway.

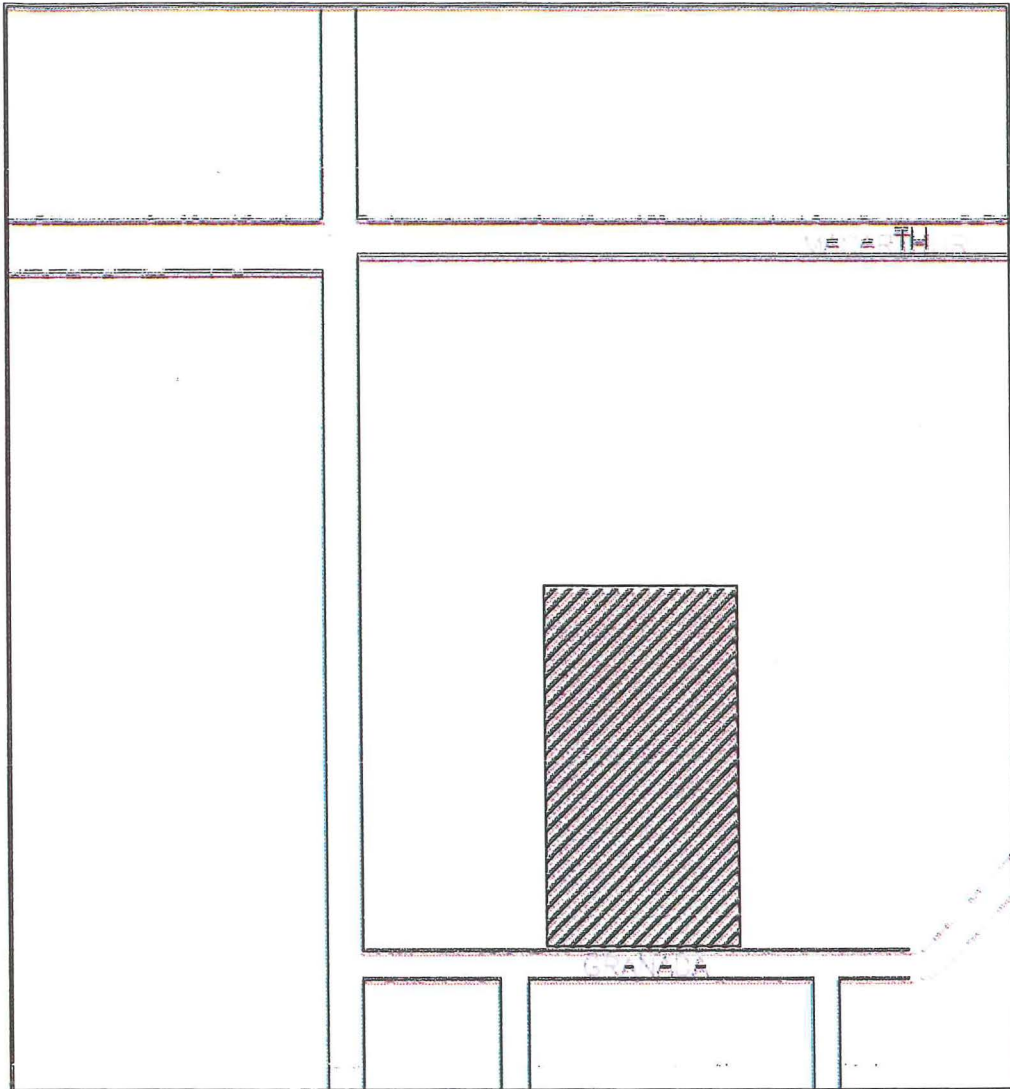


Witness my hand this 17th day of July, 2013

Phyllis Loftis
Phyllis Loftis, City Clerk

Location Map

Case #P10-13



CITY OF SHAWNEE
222 N. BROADWAY
SHAWNEE, OK 74801

PLANNING DEPARTMENT
PHONE: (405) 878-1666
FAX: (405) 878-1587

PLANNING COMMISSION APPLICATION
PROJECT NO. 130792 CASE NO. P10-13

REQUEST:

Rezoning X Rezoning w/Conditional Use Permit _____ Conditional Use Permit _____
Planned Unit Development _____

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from Agriculture District to Residential District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 5 MULLINS DRIVE, Shawnee, OK

LEGAL DESCRIPTION: _____

PROPERTY OWNER (S): CLARENCE MULLINS TRUST

PROPERTY AGENT (APPLICANT): GARY MULLINS

APPLICANT'S ADDRESS: 23630 STAGGS CITY ROAD (Gary Mullins)

CITY: TECUMSEH STATE OK ZIP 74873

EMAIL ADDRESS: _____

TELEPHONE NUMBER: (405) 598-2206 CONTACT NUMBER: ()

DIMENSIONS OF PROPERTY: AREA _____ WIDTH _____
LENGTH _____ FRONTAGE _____

CURRENT ZONING: Agriculture **CURRENT USE:** House & 7.8 ACRES.

PROPOSED ZONING: Residential **PROPOSED USE:** SUB LOTS LESS THAN 5 ACRES.

With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.

Gary Mullins

SIGNATURE OF APPLICANT

(FOR STAFF USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this 13 day of, June 2013

Linda Burch
PLANNING COMMISSION SECRETARY

REZONING &/OR C.U.P FEE \$ 280.00
RECEIPT NO. 01485045

PLANNED UNIT DEVELOPMENT FEE \$ 550.00
SIGN DEPOSIT \$ 50.00

(Refundable if Applicant returns 48 hrs. after City Commission Meeting)

PLANNING COMMISSION ACTION: _____ **DATE:** _____

CITY COMMISSION ACTION: _____ **DATE:** _____

PLACE ON ZONING MAP: _____ **ORDINANCE NO.:** _____

STATE OF OKLAHOMA)
) SS:
COUNTY OF POTTAWATOMIE)

-: AFFIDAVIT OF BONDED ABTRACTOR :-

The undersigned Bonded Abstractor in and for the aforesaid County and State does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the Office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described lands:

The East Half of the Southwest Quarter of the Northwest Quarter of the Northwest Quarter (E/2 SW/4 NW/4 NW/4) and the West Half of the Southeast Quarter of the Northwest Quarter of the Northwest Quarter (W/2 SE/4 NW/4 NW/4) of Section Nine (9), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, LESS a tract of land described as beginning at the Southwest Corner of Lot 63, GRANADA COUNTRY ESTATES, to the City of Shawnee; thence Southwesterly on a curve to the right, having a radius of 202.76', chord bearing of S88°34'03"W, chord distance of 21.58', for an arc distance of 21.59'; thence N88°22'52"W for a distance of 121.71'; thence N01°01'20"E for a distance of 659.56'; thence S88°14'21"E for a distance of 143.00 feet; thence S00°59'53"W for a distance of 658.06' to the point of beginning.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from One (1) to Two (2), both inclusive.

The Abstractor makes no representation or warranty, either expressed or implied, regarding the accuracy of the information contained in this report. The Abstractor does not guarantee the validity of the title of such parties nor is this report intended to guarantee title thereof. The liability of the Abstractor shall be based solely on contract and shall be limited to the price paid for the report by the customer. The parties agree that the Abstractor shall not be liable for consequential damages. Acceptance of the instrument constitutes acceptance of this limitation on liability.

EXECUTED at Shawnee, Oklahoma, this 3rd day of June, 2013.

FIRST AMERICAN TITLE AND TRUST COMPANY

By *Teresa Southard*
Teresa Southard, Licensed Abstractor #264

Order No. 1837554-SH99

Ownership List

Order No. 1837554-SH99

Date June 3, 2013

Page No. 1

OWNER

BRIEF LEGAL:

Nghiep Thi Vyong and Tuyet Ngoc Do – 3 Fisher Drive, Shawnee, OK 74804

Beg. NW/C Section 9, Township 10 North, Range 4 East; thence E 331.47'; thence S 636.35'; thence W 331.47'; thence N 636.66' to beg.

Clarence Mullins – 5 Mullins Drive, Shawnee, OK 74804

E/2 SW/4 NW/4 NW/4 & W/2 SE/4 NW/4 NW/4 Section 9, Township 10 North, Range 4 East...LESS 2.17 acres

Jeanne Mullins – 6716 Edgewater Drive, Oklahoma City, OK 73116

Beg. 636.66' S NW/C Section 9, Township 10 North, Range 4 East; thence E 331.47'; thence S 660.85'; thence W 331.65'; thence N 661.67' to beg.

Reuben Peltier Properties, LLC – 2412 Winged Foot Way, Shawnee, OK 74804

Beg. 662.75' E NWC Section 9, Township 10 North, Range 4 East; thence E 331.27'; thence S 635.80'; thence W 331.68'; thence N 636.07' to beg.

First Church of God, Inc. – 1025 E. 9th St., Shawnee, OK 74801

Beg. 331.47' E NW/C Section 9, Township 10 North, Range 4 East; thence E 331.28'; thence S 636.07'; thence W 331.28'; thence N 636.35' to beg.

Mike G. Langley and Dana C. Langley Trust – 41 Serenada Court, Shawnee, OK 74801

Lot 41, GRANADA COUNTRY ESTATES to Shawnee

Don L. Weir and Pat J. Weir – 42 Serenada Court, Shawnee, OK 74804

Lots 42 & 61, LESS N 55' Lot 61, GRANADA COUNTRY ESTATES to Shawnee

Martha W. Parrott – 53 Serenada Lane, Shawnee, OK 74804

Lot 53, GRANADA COUNTRY ESTATES to Shawnee

Charles Degraffenreid Revocable Trust – 54 Serenada Lane, Shawnee, OK 74804

Lot 54, GRANADA COUNTRY ESTATES to Shawnee

Richard D. Cullison and Darlene A. Cullison – 62 Serenada Court, Shawnee, OK 74801

N 55' of Lot 61 & All Lot 62, GRANADA COUNTRY ESTATES to Shawnee

Elwood B. Smith and Teresa Smith – 63 Granada, Shawnee, OK 74804

Lot 63, GRANADA COUNTRY ESTATES to Shawnee

James Michael Walker – 64 Granada, Shawnee, OK 74804

Lot 64, GRANADA COUNTRY ESTATES to Shawnee

Kevin L. Logan and Darcie M. Logan – 27 Melissa Drive, Shawnee, OK 74801

Lot 70, GRANADA COUNTRY ESTATES to Shawnee

Bill Walker – 71 Sonata, Shawnee, OK 74804

Lot 71, GRANADA COUNTRY ESTATES to Shawnee

Ownership List

Order No. 1837554-SH99

Date June 3, 2013

Page No. 2

OWNER

BRIEF LEGAL:

Stewart N. Noble and Jacklyn J. Noble – 72 Sonata Lane, Shawnee, OK 74804

Lot 72, GRANADA COUNTRY ESTATES to Shawnee

Tisha D. Williams – 73 Sonata Lane, Shawnee, OK 74804

Lot 73, GRANADA COUNTRY ESTATES to Shawnee

Granada Lake Association, LLC – 45 Serenada Court, Shawnee, OK 74804

Beg. SE/C Lot 45, GRANADA COUNTRY ESTATES to Shawnee; thence N4°7'58"W 1409.20' to NE/C Lot 41; thence N40°3'39"E 57.97'; thence on a curve to the right having a radius of 156.66' a distance of 140.56'; thence S88°31'53"E 73.81' to NW/C Lot 40; thence S1°28'7"W 175'; thence S47°4'15"E 520.15' to SE/C Lot 39; thence S26°38'4"W 285.85'; thence S17°48'21"E 106.96'; thence S28°10'16"E 137.76'; thence S56°50'28"E 76.25'; thence N78°35'25"E 128.27'; thence N16°37'32"W 127.11'; thence N35°16'58"E 44.44'; thence N52°37'52"E 60.07'; thence N7°6'43"E 160.53'; thence N76°18'20"E 78.76'; thence S78°36'39"E 39.32'; thence S66°35'32"E 88.50' to point on W line Lot 37; thence S838.36' to SW/C Lot 34; thence N88°23'20"W 925.66' to beg.

Chester W. Phelps and Connie Jo Phelps – 36146 E. Highway 99A, Seminole, OK 74868

Beg. NW/C Lot 55, GRANADA COUNTRY ESTATES to Shawnee; thence S88°22'52"E 260.01'; thence S01°02'10"W 205'; thence N88°22'52"W 260.01'; thence N01°02'10"E 205' to beg.

Johnny Grandstaff and Darlene Grandstaff – 56 Serenada Lane, Shawnee, OK 74804

All Lot 56 & Part Lot 55, GRANADA COUNTRY ESTATES to Shawnee

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, OKLAHOMA, TO-WIT: THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (E/2 SW/4 NW/4 NW/4) AND THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (W/2 SE/4 NW/4 NW/4) OF SECTION NINE (9), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, LESS A TRACT OF LAND DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT 63, GRANADA COUNTRY ESTATES, TO THE CITY OF SHAWNEE; THENCE SOUTHWESTERLY ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 202.76', CHORD BEARING OF S88°34'03"W, CHORD DISTANCE OF 21.58', FOR AN ARC DISTANCE OF 21.59'; THENCE N88°22'52"W FOR A DISTANCE OF 121.71'; THENCE N01°01'20"E FOR A DISTANCE OF 659.56'; THENCE S88°14'21"E FOR A DISTANCE OF 143.00 FEET; THENCE S00°59'53"W FOR A DISTANCE OF 658.06' TO THE POINT OF BEGINNING, REZONING SAID PROPERTY FROM A-1; AGRICULTURAL TO R-1; SINGLE FAMILY RESIDENTIAL AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing was conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 19th day of August, 2013, upon an application to rezone property located in the City of Shawnee, Oklahoma to R-1; Single Family Residential.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said property to be rezoned as considered.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

Section 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: The East Half of the Southwest Quarter of the Northwest Quarter of the Northwest Quarter (E/2 SW/4 NW/4 NW/4) and the West Half of the Southeast Quarter of the Northwest Quarter of the Northwest Quarter (W/2 SE/4 NW/4 NW/4) of Section Nine (9), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, LESS a tract of land described as beginning at the Southwest Corner of Lot 63, GRANADA COUNTRY ESTATES, to the City of Shawnee; thence Southwesterly on a curve to the right, having a radius of 202.76', chord bearing of S88°34'03"W, chord distance of 21.58', for an arc distance of 21.59'; thence N88°22'52"W for a distance of 121.71'; thence N01°01'20"E for a distance of 659.56'; thence S88°14'21"E for a distance of 143.00 feet; thence S00°59'53"W for a distance of 658.06' to the point of beginning, be rezoned to R-1: Single Family Residential and the official zoning map heretofore adopted is hereby amended as to include said property R-1; Single Family Residential.

PASSED AND APPROVED this 19th day of August, 2013.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality on the 19th day of August, 2013.

MARY ANN KARNs, CITY ATTORNEY

Regular Board of Commissioners

6.

Meeting Date: 08/19/2013

Rezoning Case #P11-13

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Public hearing and consideration of an ordinance rezoning property located at 2400 North Harrison from R-1; Single Family Residential to C-3; Automotive, Commercial and Recreation.

Case #P11-13 Applicant: Lynn Baucom

Attachments

Rezoning P11-13

Ordinance P11-13

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Lynn Baucom
FOR: Rezone
LOCATION: 2400 North Harrison
PROJECT#: 130758 Case# P11-13

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION: R-1; Residential
REQUESTED CLASSIFICATION: C-3; Automotive, Commercial and Recreation
PROPOSED PROPERTY USE: Commercial (Retail/Office)

PLANNING COMMISSION MEETING DATE: August 7, 2013

PLANNING COMMISSION RECOMMENDATION: Approval

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: _____

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
BERGSTEN						ABSENT
CARTER			X			
HOSTER	X		X			
TURNER (CHAIRMAN)						ABSENT
SILVIA (VICE-CHAIRMAN)			X			
COWEN			X			
SALTER		X	X			

RESPECTFULLY SUBMITTED,

Linda Burg

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

STAFF REPORT
REZONE
CASE #P11-13

TO: Shawnee Planning Commission

AGENDA: August 7, 2013

RE: CASE #P11-13; Rezone Request, R-1 to C-3

PROPOSAL

The applicant is requesting to rezone the subject site of 1.15 acres to facilitate the sale and redevelopment of the site for a commercial use. The property is located at 2400 N. Harrison and existing site features include a single-family home. The property is currently zoned R-1 (single-family residential) and is predominately surrounded by commercially-zoned properties and associated development.

GENERAL INFORMATION

Applicant/Owner	Lynn Jackman Baucom
Agent	J. Roger Henson
Site Location/Address	2400 N. Harrison Street
Current Site Zoning	R-1
Proposed Zoning District	C-3
Parcel Size	1.15 acres
Proposed Use	Commercial (no specific commercial use identified)
Comprehensive Plan Designation	Commercial

Existing Land Use	Residential
Surrounding Land Use	<u>North</u> : Commercial <u>South</u> : Commercial <u>West</u> : Residential <u>East</u> : Commercial
Surrounding Zoning	<u>North</u> : C-3 <u>South</u> : C-3 <u>West</u> : R-1 <u>East</u> : C-3, CP

STAFF ANALYSIS AND FINDINGS

The applicant is requesting approval for a zone change to facilitate the sale and development of the subject property. A specific commercial use for the property is not known at this time. The subject property is currently surrounded by commercially-zoned land, with the exception of residential land to the west (see Figures 1-2).

The nearby commercial development includes a variety of uses, with some more intense than others. Immediately north is an automotive repair business, with an office/warehouse use to the south. To the east, uses include a restaurant, commercial strip center and a larger (“big box”) retail store. According to the Shawnee Comprehensive Plan (Figure 3), the subject property is designated for commercial use.

A zoning designation of C-3 appears consistent with adjacent and nearby zoning and would permit a wide range of uses on the subject site. The existing use is not compatible with nearby and adjacent uses and redevelopment of the site would be beneficial to the City.

Based on the analysis above, Staff does hereby recommend the requested zone change as it is compatible with the Shawnee Comprehensive Plan and the surrounding neighborhood.

RECOMMENDATION

Staff recommends **approval** of the proposed rezone from ***R-1: Residential*** to ***C-3: Commercial*** for the subject property.

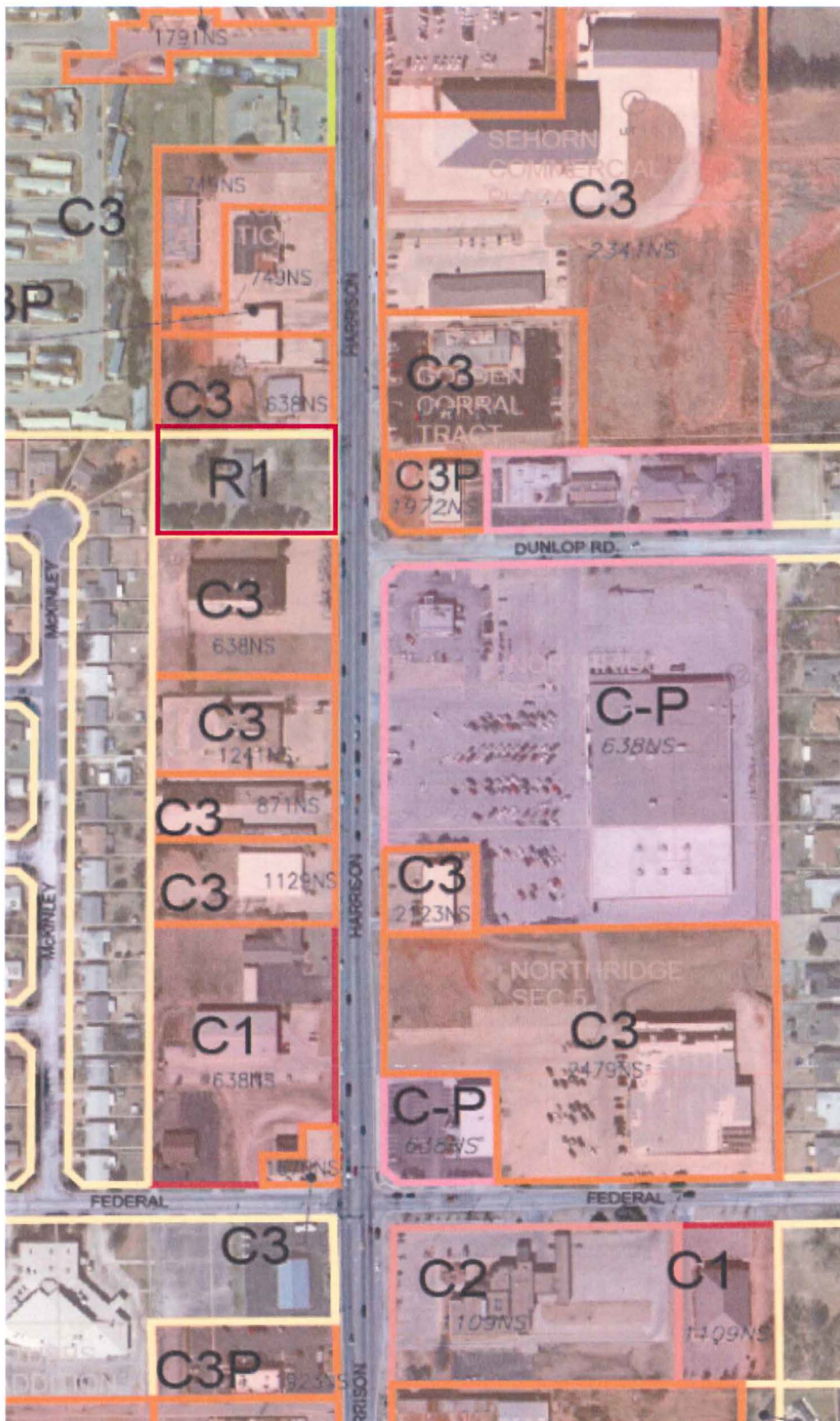


Figure 1: Zoning map, with site outlined in red.



Figure 2: Aerial view of site and surroundings.

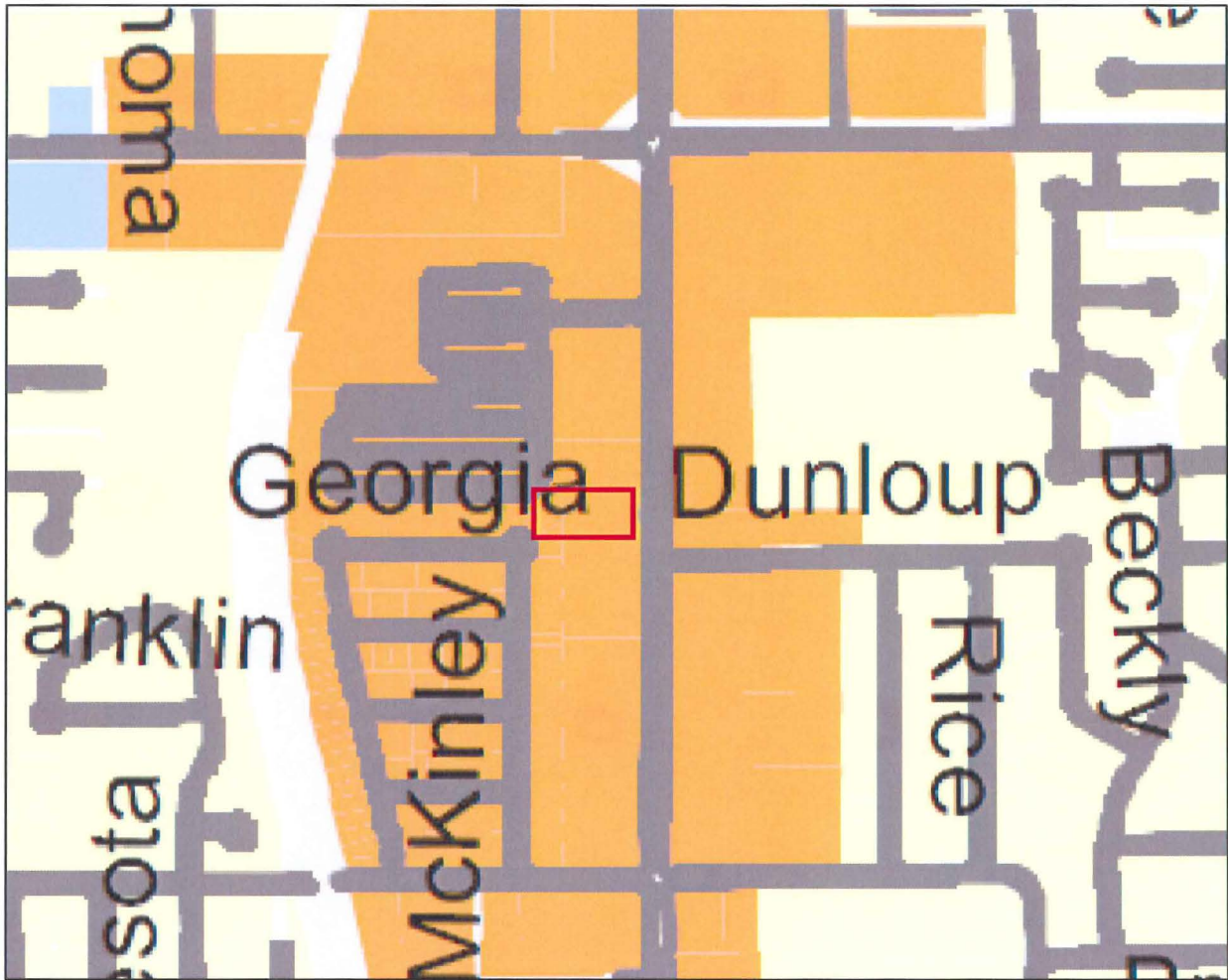


Figure 3: Future Land Use Map, with proposed zone change demarcated (shown: commercial).

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE # P11-13

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed Rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

A tract of land described as beginning at a point 1300 feet South of the Northeast Corner of Section Seven (7), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence West 333 feet; thence South 150 feet; thence East 333 feet; thence North 150 feet to the point of beginning.

General Location Known As:	<u>2400 North Harrison</u>
Current Zoning Classification:	<u>R-1; Residential</u>
Requested Zoning Classification:	<u>C-3; Automotive, Commercial, Recreation</u>
Proposed Use of Property:	<u>Retail/Office</u>
Applicant:	<u>Lynn Baucom</u>

The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.

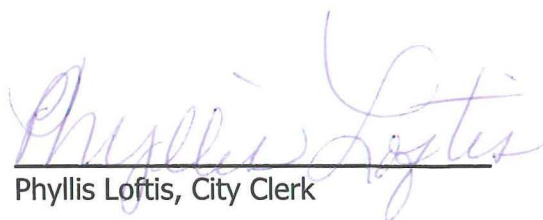
The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

August 07, 2013	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
August 19, 2013	AT 6:30 P.M.:	CITY OF SHAWNEE CITY COMMISSION

At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone will be allotted equal time. Any formal protest must be filed in writing with the City Clerk during normal working hours before 5:00 p.m. a minimum of three (3) days prior to the hearing. If there are any questions about the proposal, or you need additional information prior to the public hearing, please contact the Planning Department at 878-1616. A copy of the application is available for public inspection during normal working hours in the Planning Secretary's office at 222 N. Broadway.

Witness my hand this 17th day of July, 2013

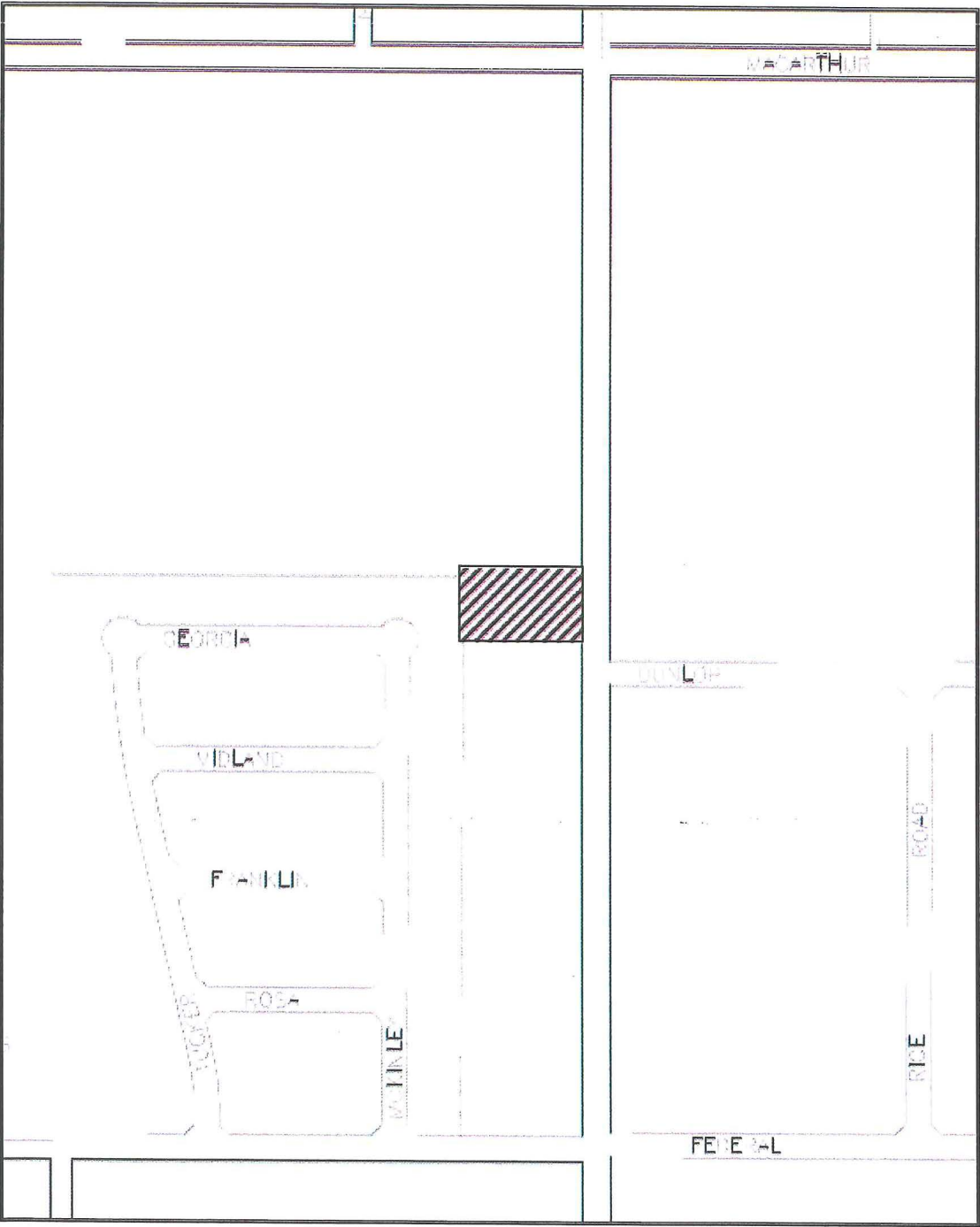




Phyllis Loftis, City Clerk

Location Map

Case #P11-13



PLANNING COMMISSION APPLICATIONCASE NO. P 11-13
130758**REQUEST:**Rezoning X Rezoning w/Conditional Use Permit _____ Conditional Use Permit _____

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from R-1 to C-3, as hereinafter requested, and in support of this application the following facts are shown:

PROPERTY LOCATION: 2400 North Harrison**LEGAL DESCRIPTION:**

Beginning at a point 1300 feet South of the Northeast Corner of Section 7, Township 10 North, Range 4 East of the I.M., thence West 333 feet; thence South 150 feet; thence East 333 feet, thence North 150 feet to the place of beginning, subject to the rights of way, easements, buildings, and use restrictions and covenants and thereunto belonging.

PROPERTY OWNER(S): Lynn Jackman Baucom**PROPERTY AGENT (APPLICANT):** Lynn Jackman Baucom**APPLICANT'S ADDRESS:** 3784 West April Street**CITY:** Battlefield **STATE:** Missouri **ZIP:** 65619**TELEPHONE NUMBER:** (417) 207-1191 **CONTACT NUMBER:** (417) 207-1191**DIMENSIONS OF PROPERTY:** AREA: 1.1467 acres± WIDTH: 333 feet

LENGTH: 150 feet FRONTAGE: N. Harrison - 150 feet

CURRENT ZONING: R-1 **CURRENT USE:** Residential**PROPOSED ZONING:** C-3 **PROPOSED USE:** Retail/Office

With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.

Lynn Jackman Baucom
Lynn Jackman Baucom

(For Staff Use Only)

Filed in the office of the Planning Department, 222 N. Broadway, this 18 day of June, 2013 at 12:09 a.m./p.m.)

Sandra Burg
PLANNING COMMISSION SECRETARY

FEE \$280.00**RECEIPT NO:** 01483416**SIGN DEPOSIT \$50.00** (Refundable if Applicant returns 48 hrs. after City Commission Meeting)**PLANNING COMMISSION ACTION:** _____ **DATE:** _____**CITY COMMISSION ACTION:** _____ **DATE:** _____

STATE OF OKLAHOMA)
) SS:
COUNTY OF POTTAWATOMIE)

-: AFFIDAVIT OF BONDED ABTRACTOR :-

The undersigned Bonded Abtractor in and for the aforesaid County and State does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the Office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described lands:

A tract of land described as beginning at a point 1300 feet South of the Northeast Corner of Section Seven (7), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence West 333 feet; thence South 150 feet; thence East 333 feet; thence North 150 feet to the point of beginning.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from One (1) to Three (3), both inclusive.

The Abtractor makes no representation or warranty, either expressed or implied, regarding the accuracy of the information contained in this report. The Abtractor does not guarantee the validity of the title of such parties nor is this report intended to guarantee title thereof. The liability of the Abtractor shall be based solely on contract and shall be limited to the price paid for the report by the customer. The parties agree that the Abtractor shall not be liable for consequential damages. Acceptance of the instrument constitutes acceptance of this limitation on liability.

EXECUTED at Shawnee, Oklahoma, this 6th day of June, 2013.

FIRST AMERICAN TITLE AND TRUST COMPANY

By 
Teresa Southard, Licensed Abtractor #264

Order No. 1839521-SH99

Ownership List

Order No. 1839521-SH99

Date June 6, 2013

Page No. 1

OWNER

BRIEF LEGAL:

William R. Austin and Virginia M. Austin Trust – P.O. Box 998, Shawnee, OK 74802-0998

Beg. 1450' S NE/C NE/4 Section 7, Township 10 North, Range 4 East; thence W 333';
thence S 300'; thence E 333'; thence N 300' to beg.

Lynn Jackman Baucom – 3784 W. April St., Battlefield, MO 65619

Beg. 1300' S NE/C NE/4 Section 7, Township 10 North, Range 4 East; thence W 333';
thence S 150'; thence E 333'; thence N 150' to beg.

Leroy C. Edmonds and Gwen Edmonds Revocable Trust – 2424 N. Harrison, Shawnee, OK 74804

Beg. 1302' S NE/C NE/4 Section 7, Township 10 North, Range 4 East; thence W 363';
thence N 120'; thence E 363'; thence S 120' to beg.

Austin & Austin Investments, LLC – 37311 45th Street, Shawnee, OK 74804

Beg. 1060' S NE/C Section 7, Township 10 North, Range 4 East; thence W 363'; thence S
120'; thence E 363'; thence N 120' to beg. & Beg. NW/C Lot 9, Block 13, NORTH RIDGE
ADDITION, 4TH SECTION, to the City of Shawnee; thence E 130'; thence S 135'; thence W
108.01'; thence NW 34.96'; thence E 110.03' to beg.

JPR Investments – 10150 S. Hillside, Haysville, KS 67060

Beg. 516' S NE/C NE/4 Section 7, Township 10 North, Range 4 East; thence S 165';
thence W 363'; thence S 619'; thence W 972' & RR R/W NE'ly 900'; thence E 841'; thence S 116'
thence E 363' to beg.

Triangle, LLC – Attn: C. Bonnie Fetrow – 818 N. Emporia, Suite 310, Wichita, KS 67214

Lot 2, Block 1, TRIANGLE ADDITION to Shawnee

K. G. Wall and K. E. Wall Revocable Family Trust – P.O. Box 1506, Shawnee, OK 74802-1506

Lot 1, Block 1, TRIANGLE ADDITION to Shawnee

MidFirst Bank – c/o Meritax LLC – 14800 Landmark Boulevard #550, Dallas, TX 75254

Beg. 735' N SE/C SE/4 NE/4 Section 7, Township 10 North, Range 4 East; thence W 333';
thence N 166'; thence E 333'; thence S 166' to beg.

Allen Management, LLC – c/o Carol Rhodes – 18 Glen Rock Dr., Austin, TX 78738

E 50' Lot 29 & W 10' Lot 30, Block 1, BROOKHAVEN ADDITION to Shawnee

James P. Stambolis and Margery L. Stambolis 2005 Revocable Trust – c/o California Baptist
Foundation – 7120 N. Whitney Avenue, Suite 105, Fresno, CA 93720

E 60' Lot 30 & W 5' Lot 31, Block 1, BROOKHAVEN ADDITION to Shawnee

Rachel K. Spencer – 820 E. Georgia, Shawnee, OK 74804

E 65' Lot 31, Block 1, BROOKHAVEN ADDITION to Shawnee

Karen J. Richeson – 822 E. Georgia, Shawnee, OK 74804

Lot 32, Block 1, BROOKHAVEN ADDITION to Shawnee

Lisa C. Sponseller – 2313 N. McKinley, Shawnee, OK 74804

Lot 33, Block 1, BROOKHAVEN ADDITION to Shawnee

Ownership List

Order No. 1839521-SH99

Date June 6, 2013

Page No. 2

OWNER

BRIEF LEGAL:

Marshall Eric Yoakum and Leeanna Darlene Yoakum – 2311 N. McKinley, Shawnee, OK 74804
Lot 34, Block 1, BROOKHAVEN ADDITION to Shawnee

Geraldine Helton – 2309 N. McKinley, Shawnee, OK 74804
Lot 35, Block 1, BROOKHAVEN ADDITION to Shawnee

Housing Authority of the Absentee Shawnee – P.O. Box 425, Shawnee, OK 74802-0425
Lot 36, Block 1, BROOKHAVEN ADDITION to Shawnee

Daniel Evans and Cindy Evans – 2305 N. McKinley, Shawnee, OK 74804
Lot 37, Block 1, BROOKHAVEN ADDITION to Shawnee

Patsy J. Snowden, Earnest E. Stuckey II and Rozell W. White – 2303 N. McKinley, Shawnee, OK 74804
Lot 38, Block 1, BROOKHAVEN ADDITION to Shawnee

Donald E. Larrabee and Kay Larrabee – 2301 N. McKinley, Shawnee, OK 74804
Lot 39 & N 5' Lot 40, Block 1, BROOKHAVEN ADDITION to Shawnee

Virgil D. Scott – 2209 N. McKinley, Shawnee, OK 74804
S 50' Lot 40, Block 1, BROOKHAVEN ADDITION to Shawnee

Don Corbett – 2207 N. McKinley, Shawnee, OK 74804
Lots 41 & 42, Block 1, BROOKHAVEN ADDITION to Shawnee

Nancy Warden – 815 E. Georgia, Shawnee, OK 74804
Lot 8, Block 5, BROOKHAVEN ADDITION to Shawnee

Harland G. Miller and Georgia L. Miller – 817 E. Georgia, Shawnee, OK 74804
Lot 9, Block 5, BROOKHAVEN ADDITION to Shawnee

Paul Allen Armentrout and Mindy Ann Armentrout – 818 E. Midland, Shawnee, OK 74804
Lot 10, Block 5, BROOKHAVEN ADDITION to Shawnee

Taylor Thompson – 816 E. Midland, Shawnee, OK 74804
Lot 11, Block 5, BROOKHAVEN ADDITION to Shawnee

Nordent II – 18 Dunloup, Shawnee, OK 74804
Beg. 130' E NW/C Lot 9, Block 13, NORTHRIDGE ADDITION, SECTION 4 to the City of Shawnee; thence E 166.5'; thence S 135'; thence W 166.5'; thence N 135' to beg.

Thunder Properties, LLC – 1600 Corn Camp Road, Buttonwillow, CA 93206
Beg. NW/C Lot 7, Block 12, NORTHRIDGE ADDITION, SECTION 4 to the City of Shawnee; thence E 151.03'; thence S 180'; thence W 151.03'; thence N 180' to beg.

Nathan-Alison, LLC – 185 NW Spanish River Boulevard, Suite 100, Boca Raton, FL 33431
Beg. SW/C Lot 7, Block 12, NORTHRIDGE ADDITION, SECTION 4; thence N 285.26'; thence E 180'; thence N 180'; thence E 452.14'; thence S 462.61'; thence W 633.9' to beg.

Ownership List

Order No. 1839521-SH99

Date June 6, 2013

Page No. 3

OWNER

BRIEF LEGAL:

Earthstone, Inc. – c/o Lavonne Poteet – 800 Market St., Lewisburg, PA 17837

Beg. 50.01' E SW/C NW/4 NW/4 Section 8, Township 10 North, Range 4 East; thence E 295'; thence N 220'; thence W 295'; thence S 220' to beg.

Fred's Tire Properties, LLC – P.O. Box 3849, Shawnee, OK 74802-3849

Lot 2, Block 1, SEHORN COMMERCIAL PLAZA to Shawnee

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, OKLAHOMA, TO-WIT: A TRACT OF LAND DESCRIBED AS BEGINNING AT A POINT 1300 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION SEVEN (7), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA; THENCE WEST 333 FEET; THENCE SOUTH 150 FEET; THENCE EAST 333 FEET; THENCE NORTH 150 FEET TO THE POINT OF BEGINNING, REZONING SAID PROPERTY FROM R-1; SINGLE FAMILY RESIDENTIAL TO C-3; AUTOMOTIVE, COMMERCIAL, AND RECREATION AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing was conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 19th day of August, 2013, upon an application to rezone property located in the City of Shawnee, Oklahoma to C-3: Automotive, Commercial and Recreation.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said property to be rezoned as considered.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

Section 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit A tract of land described as beginning at a point 1300 feet South of the Northeast Corner of Section Seven (7), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence West 333 feet; thence South 150 feet; thence East 333 feet; thence North 150 feet to the point of beginning, be rezoned to C-3; Automotive, Commercial and Recreation and the official zoning map heretofore adopted is hereby amended as to include said to C-3; Automotive, Commercial and Recreation.

PASSED AND APPROVED this 19th day of August, 2013.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality on the 19th day of August, 2013.

MARY ANN KARNS, CITY ATTORNEY

Regular Board of Commissioners

7.

Meeting Date: 08/19/2013

Rezoning Case #P12-13

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Public hearing and consideration of an ordinance rezoning property located in the 300 Block, Shawnee Mall Drive from A-1; Agricultural to C-3; Automotive, Commercial and Recreation.

Case #P12-13 Applicant: Vintage Dwellings, LLC

Attachments

Rezoning P12-13

Ordinance P12-13

RECOMMENDATION TO:

MAYOR

BOARD OF CITY COMMISSIONERS

CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE

PLANNING COMMISSION

SUBJECT:

APPLICANT: Vintage Dwellings, LLC

FOR: Rezone

LOCATION: 300 Block, Shawnee Mall Drive

PROJECT#: 130878 Case# P12-13

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION: A-1; Agricultural

REQUESTED CLASSIFICATION: C-3; Automotive, Commercial and Recreation

PROPOSED PROPERTY USE: Car Dealership

PLANNING COMMISSION MEETING DATE: August 7, 2013

PLANNING COMMISSION RECOMMENDATION: Approval

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: _____

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
BERGSTEN						ABSENT
CARTER	X		X			
HOSTER			X			
TURNER (CHAIRMAN)						ABSENT
SILVIA (VICE-CHAIRMAN)			X			
COWEN		X	X			
SALTER			X			

RESPECTFULLY SUBMITTED,

Linda Burg

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

STAFF REPORT
REZONE
CASE #P12-13

TO: Shawnee Planning Commission

AGENDA: August 7, 2013

RE: CASE #P12-13; Rezone Request, A-1 to C-3

PROPOSAL

The applicant is requesting to rezone the subject site of 16 acres (minus existing C-3 area) to facilitate the establishment of a car dealership at the property. The proposed zoning classification is C-3: Commercial and the area encompassed by the rezone is currently zoned A-1: Agricultural. The site is vacant and is located in the 300 Block of Shawnee Mall Drive, west of the railroad line and east of N. Union.

GENERAL INFORMATION

Applicant	Vintage Dwellings, LLC
Owner	Grant Dockery Partnership #1
Site Location/Address	300 Block Shawnee Mall Drive
Current Site Zoning	A-1
Proposed Zoning District	C-3
Parcel Size	16 acres total (partially zoned C-3)
Proposed Use	Car Dealership
Comprehensive Plan Designation	Commercial
Existing Land Use	Vacant

Surrounding Land Use	<u>North:</u> Vacant/Agricultural <u>South:</u> Commercial, I-40 ROW <u>West:</u> Commercial <u>East:</u> Commercial
Surrounding Zoning	<u>North:</u> A-1 <u>South:</u> C-3 <u>West:</u> C-3 <u>East:</u> C-3

STAFF ANALYSIS AND FINDINGS

The applicant is requesting approval for a zone change to facilitate the sale and development of the subject property and the creation of a car dealership. The subject property is predominately surrounded by commercially-zoned land, with the exception of agricultural land to the north (see Figures 1-2). The nearby commercial development includes a variety of intensive commercial uses. Shawnee Mall and other major retail establishments are located to the west. Additional commercial development is located to the east, while the I-40 Interstate and frontage road borders the site to the south.

The requested zoning designation of C-3 is consistent with adjacent and nearby zoning and would permit the proposed use of the site. A detailed site plan of the proposed development is not available at this time. The subject property has not been platted and a plat will be required prior to development of the site. The Shawnee Comprehensive Plan (Figure 3) indicates that the property is planned for commercial use and accordingly, the proposal is consistent with the Plan.

Based on the analysis above, Staff does hereby recommend approval of the requested zone change as it is compatible with the Shawnee Comprehensive Plan and the surrounding neighborhood.

RECOMMENDATION

Staff recommends **approval** of the proposed rezone from A-1 to C-3 for the subject property.



Figure 1: Zoning map.



Figure 2: Aerial view of site and surroundings.

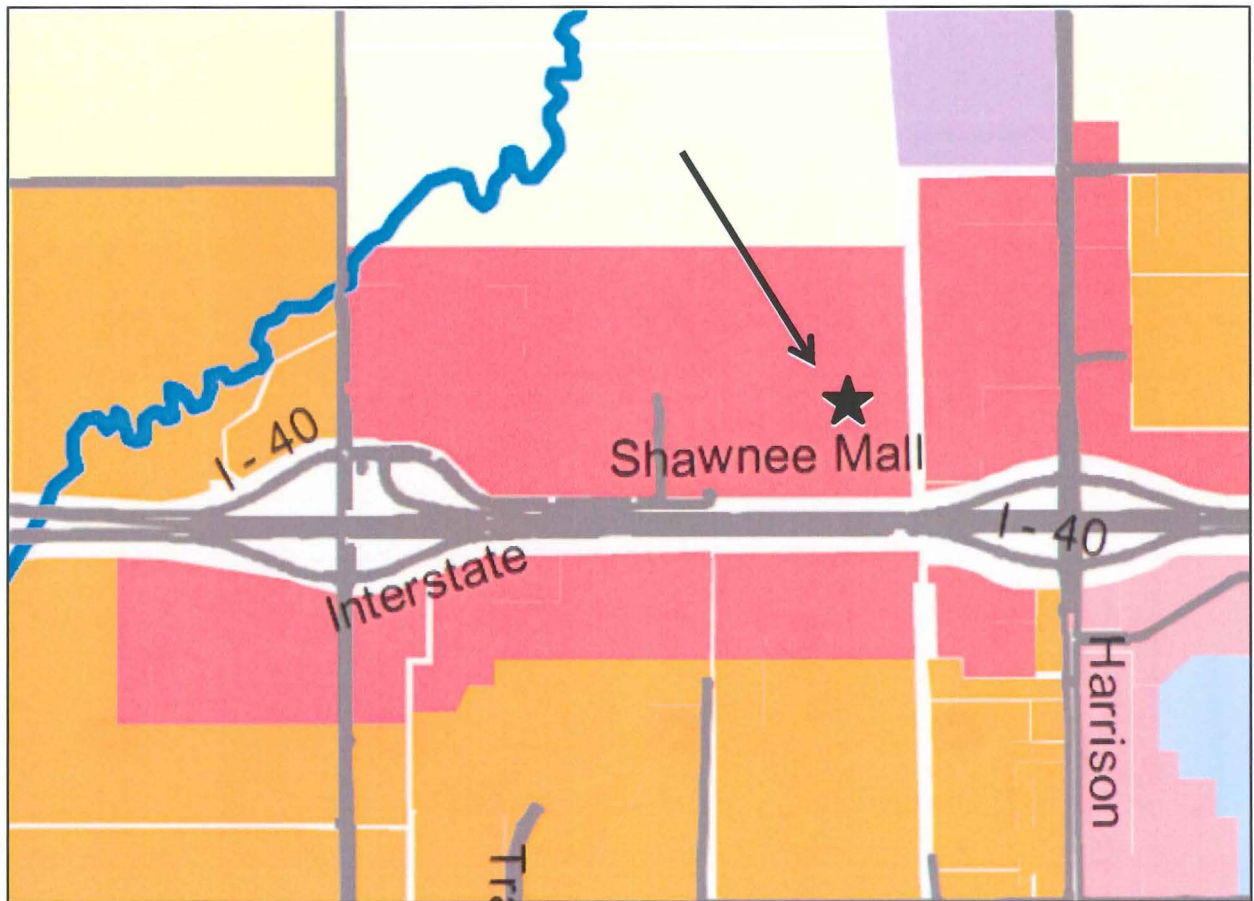


Figure 3: Future Land Use Map, with proposed zone change demarcated (shown: commercial).

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P12-13

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed Rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

A tract of land located in the Northeast Quarter (NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, more particularly described as: Commencing at the Northwest Corner of said NE/4; thence N89°38'30"E along the North line of said NE/4 a distance of 1274.75 feet to a point on the West Right-of-Way line of the Atchison, Topeka & Santa Fe Railroad; thence S02°14'09"E along said Right-of-Way line a distance of 1236.52 feet to the point of beginning; thence continuing S02°14'09"E along said Right-of-Way line a distance of 1039.15 feet to a point on the North Right-of-Way line of Interstate 40; thence S73°S6'36"W along said Right-of-Way line a distance of 69.74 feet; thence S85°44'48"W along said Right-of-Way line a distance of 151.75 feet; thence S86°57'57"W along said Right-of-Way line a distance of 99.80 feet; thence S86°44'21"W along said Right-of-Way line a distance of 202.32 feet; thence S84°57'49"W along said Right-of-Way line a distance of 97.78 feet; thence S89°10'55"W along said Right-of-Way line a distance of 58.91 feet; thence N00°55'25"E a distance of 1098.41 feet; thence S89°42'29"E a distance of 618.08 feet to the point of beginning.

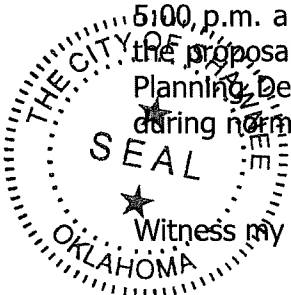
General Location Known As:	<u>300 Block, Shawnee Mall Drive</u>
	<u>North of I-40 Service Road, East of North Union,</u>
	<u>West of the railroad tracks</u>
Current Zoning Classification:	<u>A-1; Agricultural</u>
Requested Zoning Classification:	<u>C-3; Automotive, Commercial, Recreation</u>
Proposed Use of Property:	<u>Car dealership</u>
Applicant:	<u>Vintage Dwellings, LLC</u>

The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.

The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

August 07, 2013	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
August 19, 2013	AT 6:30 P.M.:	CITY OF SHAWNEE CITY COMMISSION

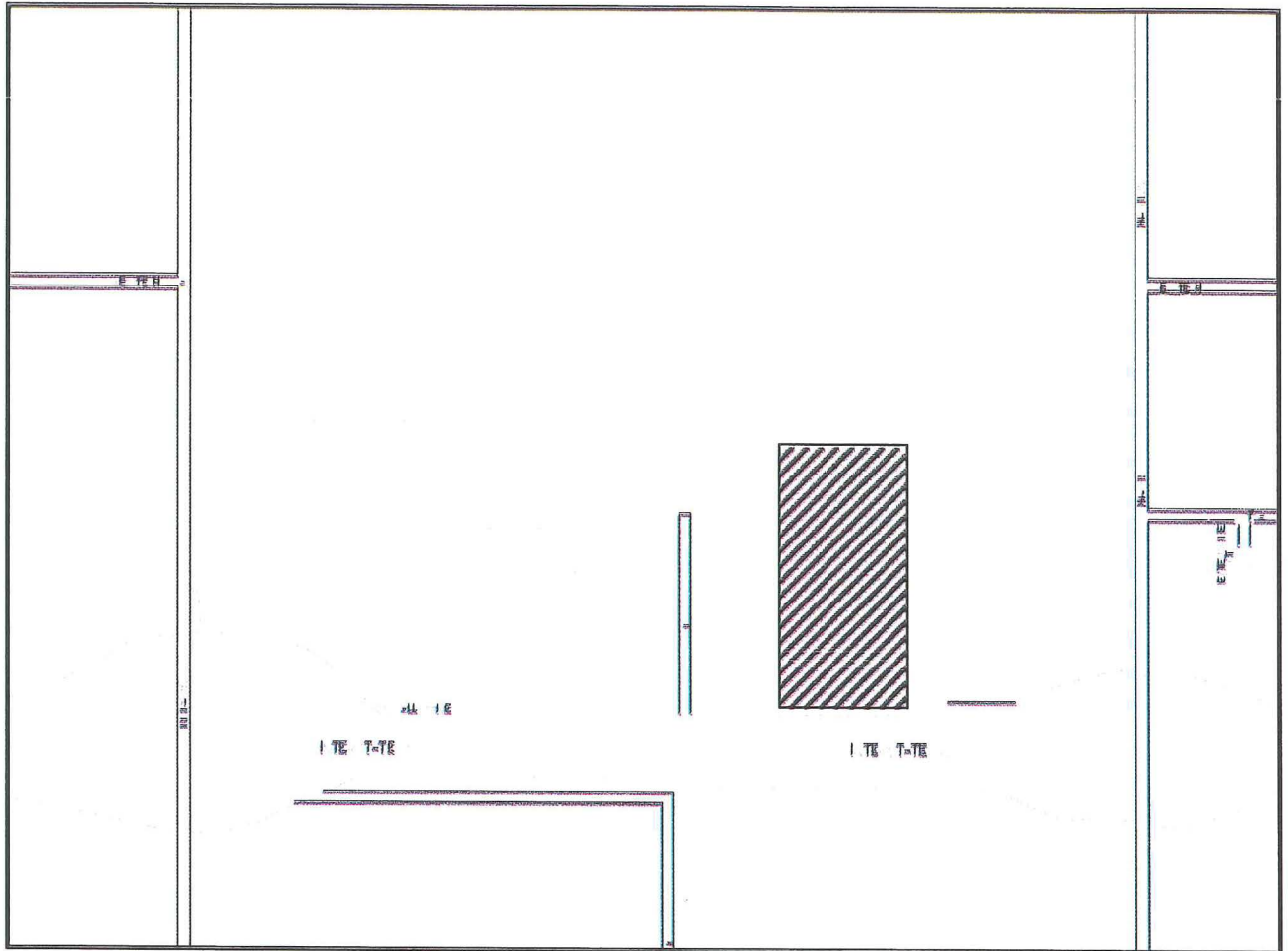
At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone will be allotted equal time. Any formal protest must be filed in writing with the City Clerk during normal working hours before 5:00 p.m. a minimum of three (3) days prior to the hearing. If there are any questions about the proposal, or you need additional information prior to the public hearing, please contact the Planning Department at 878-1616. A copy of the application is available for public inspection during normal working hours in the Planning Secretary's office at 222 N. Broadway.



Witness my hand this 17th day of July, 2013


Phyllis Loftis, City Clerk

Case #P12-13



CITY OF SHAWNEE
222 N. BROADWAY
SHAWNEE, OK 74801

PLANNING DEPARTMENT
PHONE: (405) 878-1666
FAX: (405) 878-1587

PLANNING COMMISSION APPLICATION
PROJECT NO. 130878 CASE NO. P12-13

REQUEST:

Rezoning X Rezoning w/Conditional Use Permit _____ Conditional Use Permit _____
Planned Unit Development _____

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from A-1 District to C-3 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): North of I-40 Service Road, East of N. Union Ave.,
West of railroad tracks (near Walmart Supercenter)

LEGAL DESCRIPTION: NE/4 of Section 31, Township 11 North, Range 4 East of I.M. (Pott. County) - see enclosed Survey

PROPERTY OWNER (S): The Grant Dockrey Partnership #1, an Oklahoma general partnership

PROPERTY AGENT (APPLICANT): Vintage Dwellings LLC, an Oklahoma limited liability company (or its assignee as the buyer)

APPLICANT'S ADDRESS: 32 Northwest 144th Circle, Suite A

CITY: Edmond **STATE** Oklahoma **ZIP** 73013

EMAIL ADDRESS: tsmith@okcproperties.com sahasenfratz@phillipsmurrah.com

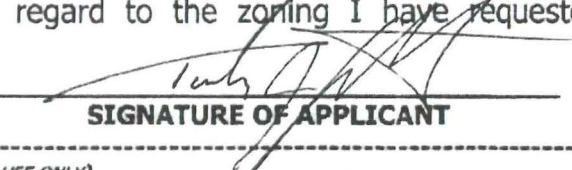
TELEPHONE NUMBER: (405) 919-0282 **CONTACT NUMBER:** bdolatabadie@phillipsmurrah.com same

DIMENSIONS OF PROPERTY: **AREA** 16.00 acres +/- **WIDTH** 618.08 feet +/-
LENGTH 1098.41 feet +/- **FRONTAGE** 680 feet +/-

CURRENT ZONING: Part A-1, Part C-3 (see survey) **CURRENT USE:** raw land

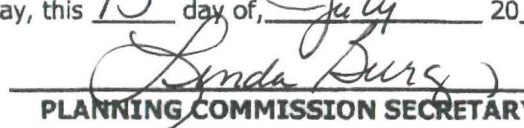
PROPOSED ZONING: To change the A-1 part to C-3
(so the whole tract is C-3) **PROPOSED USE:** car dealership

With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.


SIGNATURE OF APPLICANT

(FOR STAFF USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this 15 day of July 20 13


PLANNING COMMISSION SECRETARY

REZONING &/OR C.U.P FEE \$ 280.00
RECEIPT NO. 01493881

PLANNED UNIT DEVELOPMENT FEE \$ 550.00
SIGN DEPOSIT \$ 50.00

(Refundable if Applicant returns 48 hrs. after City Commission Meeting)

PLANNING COMMISSION ACTION: _____ **DATE:** _____
CITY COMMISSION ACTION: _____ **DATE:** _____
PLACE ON ZONING MAP: _____ **ORDINANCE NO.:** _____

STATE OF OKLAHOMA)
) SS:
COUNTY OF POTTAWATOMIE)

-: AFFIDAVIT OF BONDED ABTRACTOR :-

The undersigned Bonded Abtractor in and for the aforesaid County and State does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the Office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described lands:

A tract of land located in the Northeast Quarter (NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, more particularly described as: Commencing at the Northwest Corner of said NE/4; thence N89°38'30"E along the North line of said NE/4 a distance of 1274.75 feet to a point on the West Right-of-Way line of the Atchison, Topeka & Santa Fe Railroad; thence S02°14'09"E along said Right-of-Way line a distance of 1236.52 feet to the point of beginning; thence continuing S02°14'09"E along said Right-of-Way line a distance of 1039.15 feet to a point on the North Right-of-Way line of Interstate 40; thence S73°56'36"W along said Right-of-Way line a distance of 69.74 feet; thence S85°44'48"W along said Right-of-Way line a distance of 151.75 feet; thence S86°57'57"W along said Right-of-Way line a distance of 99.80 feet; thence S86°44'21"W along said Right-of-Way line a distance of 202.32 feet; thence S84°57'49"W along said Right-of-Way line a distance of 97.78 feet; thence S89°10'55"W along said Right-of-Way line a distance of 58.91 feet; thence N00°55'25"E a distance of 1098.41 feet; thence S89°42'29"E a distance of 618.08 feet to the point of beginning.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from One (1) to One (1), both inclusive.

The Abtractor makes no representation or warranty, either expressed or implied, regarding the accuracy of the information contained in this report. The Abtractor does not guarantee the validity of the title of such parties nor is this report intended to guarantee title thereof. The liability of the Abtractor shall be based solely on contract and shall be limited to the price paid for the report by the customer. The parties agree that the Abtractor shall not be

liable for consequential damages. Acceptance of the instrument constitutes acceptance of this limitation on liability.

EXECUTED at Shawnee, Oklahoma, this 3rd day of July, 2013.

FIRST AMERICAN TITLE AND TRUST COMPANY

By *Teresa Southard*
Teresa Southard, Licensed Abstractor #264

Order No. 1842558-SH99

Ownership List

Order No. 1842558-SH99

Date July 3, 2013

Page No. 1

OWNER

BRIEF LEGAL:

The Grant Dockrey Partnership #1% Grant Dockrey – 6203 Coker Road, Shawnee, OK 74804
W/2 NE/4 Section 31, Township 11 North, Range 4 East...LESS TRACTS

Jerome L. Johnson and Shirley June Johnson 2009 Revocable Trust – 5110 N. Harrison,
Shawnee, OK 74804

Part SE/4 NE/4 Section 31, Township 11 North, Range 4 East...LESS TRACTS & Beg. 48' W
& 1285.62' S NE/C E/2 NE/4 Section 31, Township 11 North, Range 4 East; thence W 1176.82' to
E R/W AT&SF RR; thence S along RR 303.70'; thence E 1143.52'; thence N4°E 240.34'; thence N
63.37' to beg...LESS .16 to State

Shawnee Hotels, Inc. – 118 N. 7th St., Durant, OK 74701

Lot 1, Block 1, MALL EAST, SECTION 1, to Shawnee

SFP Pool Two Shopping Centers – 17800 Larel Park Drive North, Suite 200C, Livonia, MI 48152

Lot 2, Block 1, MALL EAST, SECTION 1, to Shawnee

Bernie Rubinstein Family Trust – 511 N. Canon Drive, Beverly Hills, CA 90210

Lot 3, Block 1, MALL EAST, SECTION II, to Shawnee

Cole An Portfolio II, LLC – c/o Aarons #661 – c/o Marvin F. Poer & Co. – P.O. Box 52427, Atlanta,
GA 30355

Lot 4, Block 1, MALL EAST, SECTION II, to Shawnee

KFC US Properties, Inc. – c/o KFC Y3000036 – P.O. Box 35370, Louisville, KY 40232

Lot 5, Block 1, MALL EAST, SECTION II, to Shawnee

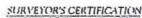
State of Oklahoma – 200 NE 21st, Oklahoma City, OK 73105

Part S/2 S/2 NE/4 Section 31, Township 11 North, Range 4 East

Canadian Valley Electric Cooperative, Inc. – P.O. Box 751, Seminole, OK 74868

Beg. 73' W & 392.96' S NE/C E/2 NE/4 Section 31, Township 11 North, Range 4 East;
thence W 750.1'; thence N 393'; thence W 452.12'; thence S02°46'E 1264.59'; thence E
1155.34'; thence N 40.21'; thence N05°14'55"E 144.57'; thence N 707.95' to beg.

A SURVEY OF A PART OF THE NE/4 OF SECTION 31, T11N-R4E, I.M.,
CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA



TO OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; AMERICAN EAGLE TITLE GROUP, L.L.C.; WYBRACE ORFELINGS, L.L.C.; AN OKLAHOMA LIMITED LIABILITY COMPANY; AND THE EAGLE DOCKERY PARTNERSHIP #1, AN OKLAHOMA GENERAL PARTNERSHIP.

THIS IS TO CERTIFY THAT THIS LSP OR PLAT AND THE SURVEY ON WHICH IT IS BASED ("SURVEY") WERE MADE IN ACCORDANCE WITH STANDARD SURVEYING REQUIREMENTS FOR ALABAMA LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ALTA IN 2011, AND FURTHER THAT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824,

(1) THE SURVEY REFLECTS THE SAME LEGAL DESCRIPTION AS CONTAINED IN AMERICAN EAGLE TITLE GROUP, L.L.C. TITLE COMMITMENT, POLICY NUMBER 1303-0001-62, DATED FEBRUARY 27, 2013 AND REWEED MARCH 27,

(f) THIS SURVEY CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS TO THE SURVEY TOGETHER WITH THE PERMITS, ESTABLISHED BUILDING SETBACK LINES AND STREET LINES.

(iv) BASED UPON VISUAL INSPECTION AND/OR RECORDS DOCUMENTS LISTED IN THE TITLE, THE PHRASES DOES NOT SEEM ANY SIGNIFICANT ANXIETY FOR DAMAGE, UPLIFT, OR IMPACT ON GROUND.

(v) ACCESS IS PROVIDED BY INTERSTATE 4-1/2 MI. TO PARADISE ROAD, KNOWN AS SHAWNEE HALL DRIVE. R-1/4 IS A PHYSICALLY OPEN AND PUBLICLY DEDICATED RIGHT-OF-WAY FOR VEHICULAR AND PEDESTRIAN USE.

(b)(4) ALL GROUND OR APPOINT UTILITIES SERVING THE PROPERTY ENTER AND EXIT THE PROPERTY FROM PUBLIC RIGHTS-OF-WAY OR THROUGH RECORDED EASEMENTS FOR EACH UTILITY'S USE EXCEPT AS NOTED. NOTE: 2 POWER POLES NOT IN EASEMENT AT SOUTH END OF PROPERTY AS NOTED UNDERGROUND ELECTRIC ALONG SOUTHWEST CORNER OF PROPERTY AND IN EASEMENT AS NOTED.

(b)(4) THIS PROPERTY IS IN ZONE "R" ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY FLOOD ADVISORY: FIRM 10-130-010, PANEL 00 OF 538, REVISED SEPTEMBER 01 2010.

(c) THERE WAS NO OBSERVABLE EVIDENCE OF GARTH MOUND WORK, BUILDING CONSTRUCTION OR GULFING ADDITIONS WITHIN RECENT MONTHS AT TIME OF SURVEY.

(d) THERE WAS NO EVIDENCE OF CHANGES IN STREET RIGHT-OF-WAY AND EVIDENCE OF ANYTHING PLANNED, AND THERE WAS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS ON SUBJECT PROPERTY.

(e) THERE WAS NO OBSERVABLE EVIDENCE THAT THE SITE WAS USED AS A SOLID WASTE DUMP, DUMP OR

(c) THERE IS NO OBSERVABLE EVIDENCE THAT THE SITE CONTAINS OR HAS EVER USED AS A CEMETERY.

(d) THE FIELD WORK FOR THIS SURVEY HAS COMPLETED ON FEBRUARY 6, 2013.

(e) PROPERTY IS CURRENTLY ZONED A-1 & C-3.

(f) THE GROSS LAND AREA OF THE SUBJECT PROPERTY IS 686,892.60 SQUARE FEET.

(g) NO BUILDINGS CURRENTLY EXIST ON SUBJECT PROPERTY.

UNDERGROUND UTILITIES NOTE

SOURCE INFORMATION FROM PLANS AND MARKINGS HAVE BEEN COMBINED WITH OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A VIEW OF THOSE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY CORRELATED AND FULLY DETERMINED. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.

DATE: _____
SIGNED BY: _____
APPROVED BY: _____

**PRELIMINARY COPY.
FOR REVIEW ONLY.**

JANDES ENGINEERING, L.L.C. & ASSOCIATES www.jandesengineering.net 903 EAST 35TH STREET SHARINNE, OKLAHOMA 74804 405-275-5755 CA #2260 EXP. 6-30-15		GRANT DOCKREY PARTNERSHIP #1 (SEE US AT THE OFFICE)	
DATE QUANTITY	03-28-2013	DATE OF LAST SITE VISIT	06/11/2013
CHECKED BOX		DRAWING NUMBER	PAGE
7034		1	of 2

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, OKLAHOMA, TO-WIT: A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID NE/4; THENCE N89°38'30"E ALONG THE NORTH LINE OF SAID NE/4 A DISTANCE OF 1274.75 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE ATCHISON, TOPEKA & SANTA FE RAILROAD; THENCE S02°14'09"E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 1236.52 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S02°14'09"E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 1039.15 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF INTERSTATE 40; THENCE S73°S6'36"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 69.74 FEET; THENCE S85°44'48"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 151.75 FEET; THENCE S86°57'57"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 99.80 FEET; THENCE S86°44'21"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 202.32 FEET; THENCE S84°57'49"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 97.78 FEET; THENCE S89°10'55"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 58.91 FEET; THENCE N00°55'25"E A DISTANCE OF 1098.41 FEET; THENCE S89°42'29"E A DISTANCE OF 618.08 FEET TO THE POINT OF BEGINNING, REZONING SAID PROPERTY FROM A-1; AGRICULTURAL TO C-3; AUTOMOTIVE, COMMERCIAL, AND RECREATION AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing was conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 19th day of August, 2013, upon an application to rezone property located in the City of Shawnee, Oklahoma to C-3: Automotive, Commercial and Recreation.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said property to be rezoned as considered.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

Section 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: A tract of land located in the Northeast Quarter (NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, more particularly described as: Commencing at the Northwest Corner of said NE/4; thence N89°38'30"E along the North line of said NE/4 a distance of 1274.75 feet to a point on the West Right-of-Way line of the Atchison, Topeka & Santa Fe Railroad; thence S02°14'09"E along said Right-of-Way line a distance of 1236.52 feet to the point of beginning; thence continuing S02°14'09"E along said Right-of-Way line a distance of 1039.15 feet to a point on the North Right-of-Way line of Interstate 40; thence S73°S6'36"W along said Right-of-Way line a distance of 69.74 feet; thence S85°44'48"W along said Right-of-Way line a distance of 151.75 feet; thence S86°57'57"W along said Right-of-Way line a distance of 99.80 feet; thence S86°44'21"W along said Right-of-Way line a distance of 202.32 feet; thence S84°57'49"W along said Right-of-Way line a distance of 97.78 feet; thence S89°10'55"W along said Right-of-Way line a distance of 58.91 feet; thence N00°55'25"E a distance of 1098.41 feet; thence S89°42'29"E a distance of 618.08 feet

to the point of beginning be rezoned to C-3; Automotive, Commercial and Recreation and the official zoning map heretofore adopted is hereby amended as to include said to C-3; Automotive, Commercial and Recreation.

PASSED AND APPROVED this 19th day of August, 2013.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality on the 19th day of August, 2013.

MARY ANN KARNS, CITY ATTORNEY

Regular Board of Commissioners

8.

Meeting Date: 08/19/2013

Letter of Intent for Partnership with YMCA for KABOOM Grant

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consideration of Letter of Intent to enter into partnership with the YMCA on the KABOOM grant for a community built playground at Lions Club in the current location of the YMCA's playground just north of the gymnasium.

Attachments

Memo for Partnership with YMCA

KABOOM Project Summary

KABOOM Playground Area

KABOOM Letter of Intent

Mayor
WES MAINORD



The City of Shawnee
Office of the Director of Operations

P.O. Box 1448
Shawnee, Oklahoma 74802-1448
(405) 878-1529 Fax (405) 878-1593
www.ShawneeOK.org

Commissioners

PAM STEPHENS
LINDA AGEE
JAMES HARROD
KEITH HALL
JOHN WINTERRINGER
STEVE SMITH

Date: August 14, 2013
To: Mayor and City Commissioners
From: James Bryce, Director of Operations
RE: KABOOM Playground Grant Partnership

Consideration of Letter of Intent to enter into partnership with the YMCA on the KABOOM grant for a community built playground at Lions Club in the current location of the YMCA's playground just north of the gymnasium.

Earlier in the year the YMCA put in for a grant to build a new playground in the place of their old one that is located on the East side of the Lions Club ball field complex and just North of the YMCA. They were selected to go through the second round and on August 8th, a conference call was set up with KABOOM, the YMCA staff and board, the City of Shawnee, and one City of Shawnee Commissioner to talk about other documentation needed and how the process works. Through the conversation, it was agreed upon that this would be another good partnership for the YMCA and the City of Shawnee due to but not limited to the playground being on city property. Note that this is a community built playground so many volunteers will be involved in this. This will be organized similar to the way Kidspace Park was built. The YMCA will be heading up most of the recruitment and petitions.

It is staff's recommendation that the Letter of Intent be approved and that the YMCA and the City of Shawnee partner up on this project.

The grant states that there is an \$8,500.00 match but KABOOM has waved this do to the organization wanting to put playgrounds in the tornado affected areas. The City of Shawnee should be out very little in funds for this project. There will need to be a soil sample taken, the ground leveled off for the playground unit, and some labor during the pre build. This project will be scheduled sometime in November.

Theresa Hendrix

From: Abbe Ewell <AEwell@kaboom.org>
Sent: Thursday, July 25, 2013 4:15 PM
To: Theresa Hendrix
Subject: Great Application - Next Steps!
Attachments: KaBOOM! Project Summary.pdf; 2013 Community Partner Agreement.docx; 2013 Letter of Intent.doc

Hello Theresa,

Thank you again for submitting an application for an upcoming playground project in Shawnee, OK and for your interest in providing a safe and engaging place to play in your community. I just have a few questions/items that I'd like to follow-up with before moving you forward in our screening process. Please send me the following information by Monday, July 29th.

1. Nearby playground information – Who operates the playgrounds located at the corner of Federal and Airport Drive? There appears to be two separate fenced areas – are they private or open to the public? Is the pavilion part of a public park?
2. EIN #

The next step in our process is a Secondary Call, a second-round interview (a.k.a. a conference call) to discuss the scope of a KaBOOM! project, let us have an opportunity to learn more about your community, and give you all an opportunity to ask any questions you have about the project. The call takes 90 minutes and we'll ask that you have some 'key partners' join the call, including:

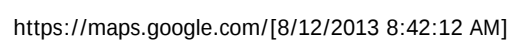
- Theresa (You!, listed as main POC on the application)
- Barbara Boise (listed as 2nd POC on the application)
- Facilities Rep (preferably someone who works on-site regularly and can speak to the physical preparation of the site for a playground build – for example, removal of current equipment, etc.)
- Your signatory or someone who can speak to the contract approval process
- Community Representatives/Parents (People from the local neighborhood)
- Anyone else who will play a role in this potential project is also welcome!

Next week I'll be in touch with you about setting up this call, but I wanted to give you the information so that you can share it as needed at the upcoming Board of Directors meeting. I do also want to state that this is a competitive process and at this time you are beginning our screening process and not confirmed for a playground build. Because your application is strong, I've attached the following documents: a draft Community Partner Agreement and Letter of Intent, and a Project Summary to help you better understand what a KaBOOM! Project looks like. Something to note – review the landownership/maintenance information because the city owns the land (not the YMCA) and will need to indicate approval of the project and permission. Also, disregard the fundraising section of the contract – the current funding opportunity (because it is in response to storm devastation) will not require the community partner to raise the standard \$8,500 contribution.

Again, thanks for your continued interest in this project. Please don't hesitate to contact me with any questions or concerns.

Best,
Abbe

--
Abbe L Ewell
KaBOOM!
Manager, Community Outreach
4301 Connecticut Ave. NW Suite ML-1
Washington, DC 20008
Office: 202.464.6065
Fax: 202.659.0210



KaBOOM! Letter of Intent



My signature below confirms that the appropriate representatives from my organization have spoken with KaBOOM! Community Outreach representatives and understand that if my organization is selected for a KaBOOM! project, we will be responsible for the following (please initial each point):

- _____ Fundraise \$8500 USD toward the cost of equipment
- _____ Participate in a KaBOOM! online training focused on fundraising within 2 weeks of Design Day
- _____ Recruit 125 volunteers from the community to participate on Build Day
- _____ Recruit between 12-15 parents to participate in the planning process
- _____ Provide land and site preparation resulting in a flat and dirt surface two weeks prior to Build Day of a site measuring at least 2,500 square feet.
- _____ Remove all existing equipment currently on site
- _____ Perform a utility check prior to Design Day and secure all necessary extensions to ensure the utility check is current through Build Day
- _____ Perform a soil test for lead and arsenic that is completed within two weeks of Design Day
- _____ Provide food, water, tools, a dumpster, music and restroom facilities for volunteers on Build Day
- _____ Use a supervised volunteer installation
- _____ Accept liability for and maintain the playground upon build completion
- _____ Use Playworld Systems equipment (www.playworldsystems.com)
- _____ Use engineered wood fiber for safety surfacing
- _____ Confirm that the KaBOOM! Follow Up Document has been read through and approved

Signing this Letter of Intent signifies that all involved parties (including person responsible for signing final Community Partner Agreement) have reviewed the Draft Community Partner Agreement and are prepared to sign the final Community Partner Agreement within three calendar days of being chosen for a KaBOOM! playground project.

City of Shawnee

Name of Organization

Brian E. McDougal, City Manager

Name and Title of Person that would be signing the contract (please print)

Authorized Signature

Date

James Bryce, Director of Operations

Name and Title of Main Contact Person (if different from above)

James Bryce

Signature of Main Contact person

8-13-2013

Date

P.O. Box 1448 Shawnee, OK. 74802

Address

405-878-1529

Phone number

Please sign and fax back to 202-659-0210

Regular Board of Commissioners

9.

Meeting Date: 08/19/2013

Application to plug 2 oil wells

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Consideration and possible action on applications of Linn Operating, Inc. to plug two (2) oil wells.

Attachments

Linn Operating Request

City of Shawnee Memorandum

To: Honorable Mayor and City Commissioners
Through: Brian McDougal, City Manager
From: Donald D. Lynch, Oil & Gas inspector *D.L.*
Date: August 14, 2013
Re: Application of LINN Operating, Inc. to Plug 2 Oil Wells



NATURE OF THE REQUEST:

I am writing to request your approval on applications of LINN Operating, Inc. to plug Oil Wells in the City Limits.

STAFF ANALYSIS /CONSIDERATIONS:

Legal Basis for this request is found in City Code Chapter 28, Article III, Sec, 28-131.

LINN Energy has filed applications to plug wells in Section 24, Township 3E Range 10N. Their applications are complete. I have reviewed the applications and find no cause for denial of the permits.

A copy of their applications is attached for your review.

RECOMMENDATION:

Staff recommends approval.

BUDGET CONSIDERATION:

Checks for the required permit fee of \$350.00 per well have been received and deposited in the City Treasury.

Thank you for your favorable attention to this request.



CITY OF SHAWNEE, OKLAHOMA
APPLICATION TO PLUG AN OIL OR
GAS WELL

APPLICANT'S INFORMATION

Applicant: LINN Operating, Inc

Applicant's Address: 14000 Quail Springs Parkway, Ste 5000

City Oklahoma City State OK Zip Code 73134

Applicant's Point of Contact: Melanie Crawford

Point of Contact Telephone Number: 405-241-2237

Operator of Well: LINN Operating, Inc

Operator's Address: 14000 Quail Springs Parkway, Ste 5000

City Oklahoma City State OK Zip Code 73134

Operator's Point of Contact: Melanie Crawford

Point of Contact Telephone Number: 405-241-2237

Lease Name: Rock Island I

Well Location: NW 1/4, SE 1/4, NE 1/4

Section: 24

Range: 10N

Township: 3E

ATTACHMENTS:

- ✓ Attach copies of all records filed with the Oklahoma Corporation Commission covering the original drilling or re-drilling of the well, completion or re-completion, or reclassification of the well.
- ✓ Attach a well bore diagram or use the one furnished with the application to show the present condition of the well. NOTE: show all casing strings, and perforations, whether squeezed-off or not; show any plugs in the well; and show the top of the cement outside the casing strings.

- Attach copies of any temperature survey logs or cement bond logs run to determine the top of the cement outside the casing strings.
- Attach a well bore diagram or use the one furnished with the application to show the proposed plugged condition of the well. NOTE: show all casing stubs and all cement plugs, bridge plugs and retainers to be placed in the well; show the base of the fresh water zone in relation to the proposed plugs; show the plugs in relation to the shallowest zone known to produce hydrocarbons in Shawnee; show the depth surface casing will be cut off below ground level; include the specifications for all cement to be placed in the well.
- Attach copies of electric logs from this well or other wells in the vicinity as evidence of the depth of the fresh water in the vicinity of the well to be plugged.
- The City's Oil & Gas Inspector and Geologist shall be notified in advance of plugging any well in order that a representative of the city may witness the plugging of the well. (The Oil & Gas Inspector or Geologist may require that the two lowermost cement plugs be tested applying drill string weight on the cement plug after the cement has set to confirm that the plug has hardened and is in the correct location.)
- Permit application shall be accompanied by a permit fee in the amount of \$350.00.

APPLICANT'S CERTIFICATION

I Melanie Crawford, do hereby state that the information contained in this application is complete and accurate to the best of my knowledge.

Printed Name: Melanie Crawford

Signature: Melanie Crawford

Date: July 26, 2013

FOR CITY USE ONLY

DISPOSITION

Date Received: _____

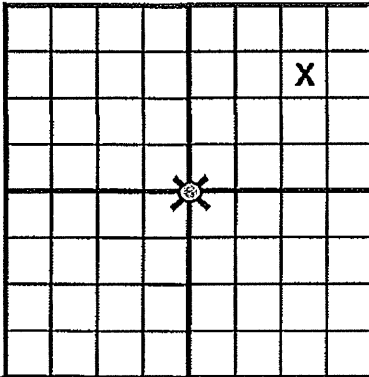
Action Taken _____

Signed: _____
Oil & Gas Inspector

Date: _____

FIELD SUPERVISORS WELL REPORT
Oklahoma Corporation Commission
Oil & Gas Conservation Division

Form 1059
Rev 01/10



Location:	NW 1/4	NW 1/4	SE 1/4	NE 1/4	Sec. 24	Twp 10N	Rge 3E
Well Name/No.	ROCK ISLAND 1					County POTT	
Operator	LINN OPERATING INC					Oper No.	22182
Address	14000 QUAIL SPRINGS PKWY STE 5000 OKLA CITY OK 73134						
Contractor	FREEPOINT PIPE & SUPPLY INC					Permit No. 693	
Address						Phone No.	
City	EDMOND				State	OK	Zip
Date Notice Rec'd					Date Oper. Commenced 12/11/2012		
API:	12523013				Date Completed	12-13-12	
Lat:	35°	19'	42.7"		TD	4848	Drillers TD
Long:	96°	55'	57.7"		Perforations	4619-27	
					oil	gas	dry
					Inj	disp	
					Hole size		
					BTW	425	

CASING RECORD

85/8 In. Set @	502 Ft.	51/2 In. Set @	4848 Ft.	In. Set @	Ft.
Were all rules and instructions observed?			Y	Mud Wt.	9
			Viscosity		

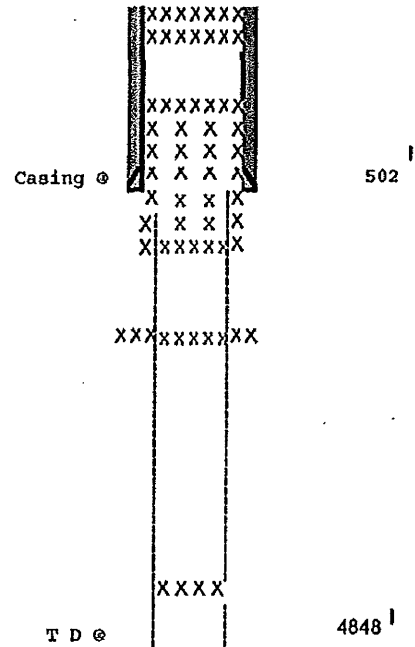
Record Chronologically Activities Observed and Reported During Operations

Complete Plug Record

IDENTIFY (X) AND DATE PLUGS WITNESSED

WELL BORE SCHEMATIC

		Depth	Cement	Date
CIBP	X	4545	2SK	12/11/2012
Stub				
Intermediate				
Freshwater	X	600-341	90SK	12-13-12
D.V.Tool				
Top	X	60-3	20SK	12-13-12



12-11 CIBP 4545FT W/SK CEMENT

12-12 CIRCULATE HOLE W/MUD SHOOT OFF 5/12 CASING

12-13 PULL 800FT CASING TUBING TO 600FT PUMP 90SK CEMENT

TAG CEMENT AT 341FT TOP PLUG 60FT TO 3FT W/20SKS CUT OFF 3FT

BELOW GROUND CAP & ID

WITNESSED BY

RECEIVED
DEC 17 2012
OIL & GAS / ADA DISTRICT

SIMON WINLOCK
OCC REPRESENTATIVE

OKLAHOMA CORPORATION COMMISSION
Oil & Gas Conservation Division
Post Office Box 52000
Oklahoma City, Oklahoma 73152-2000
Rule 165: 10-3-25

Form 1003

PLUGGING RECORD

OAC 165:10-1-10

WELL INFORMATION

Plug Date: December 13, 2012

API No: 3512523013

Well #: 1

Well Name: ROCK ISLAND

Operator: LINN OPERATING INC

Operator #: 22182

Section: 24 Township: 10N Range: 3E Meridian: Indian

1/4: NW4 1/4: SE4 1/4: NE4 1/4:

Total Depth: 0 Base of Treatable: Water: 0 Well Classification: OIL

CONTACT INFORMATION

Contact Name:

Telephone: 5806573921

Address 1: 600 TRAVIS ST STE 5100

Address 2:

City: HOUSTON

State: TX

Zipcode: 77002-3092

Country: US

Email Address:

Fax:

PIPE RECORDS

String Name	Size	Run	Pulled
SURFACE	8.625	502	0
PRODUCTION	5.5	4848	800

PERFORATION DEPTHS

From Depth	To Depth
4619	4627

PLUGS

Plug Type	Hole Size	Depth	No. Sacks of Cement	Slurry Volume	Calculated TOC	Top of Plug
CIBP + CEM	5.5	4545	2	2	4526	0
CEM	8.625	596	90	106	350	341
CEM	8.625	60	20	24	3	3

Remarks: CIRCULATE CASING W/ 95# MUD.

Reason For Plugging:

CEMENTER CERTIFICATION INFORMATION

Name:

Title:

Company Name: MARTIN TANK TRUCK & CSG PLG

Permit No: 304

Address 1:

Address 2: P.O. Box 383

City: CUSHING

State: OK

Zipcode: 74023

Phone: (918) 225-2388

I declare that I have knowledge of the contents of this report and am authorized by my organization to make this report, which was prepared by me or under my supervision and direction with the data and facts stated herein to be true, correct and complete to the best of my knowledge and belief.

Electronic Signature: LINN OPERATING INC

TYPE OR USE BLACK INK
SEE REVERSE FOR INSTRUCTIONS

OKLAHOMA CORPORATION COMMISSION
Oil and Gas Conservation Division
Post Office Box 52000
Oklahoma City, Oklahoma 73152-2000

Form 1003/1003C
Rev. 2011

API NO. **125-23013**
OTC PROD. UNIT NO.
PLUGGING DATE **12/13/12**

PLUGGING RECORD
OAC 165:10-11-7

Well Name/No. **Rock Island 1**
Location **1/4 NW 1/4 SE 1/4 NE 1/4** Sec **24** Twp **10N** Rge **3E**
1075 Ft FSL of 1/4 Sec **1797** Ft FWL of 1/4 Sec County **Pottawatomie**
Total Depth **4848** Base of Treatable Water **425** Well Classification **Ini**

OPERATOR
Name **Linn Operating, Inc.** OTC/OCC No. **22182**
Address **14000 Quail Springs Pkwy Ste 5000** Phone **405-241-2200**
City **Oklahoma City** State **OK** Zip **73134**

PIPE RECORD	Size	Run (ft)	Pulled (ft)	
				Conductor
	8 7/8	502	0	Surface
				I.C.
				I.C.
	5 1/2	4848	800	P.C.
				Lnr.

PERFORATION DEPTHS		
Set 1 -	From 4619	To 4627
Set 2 -	From	To
Set 3 -	From	To
Set 4 -	From	To

Plug	Type of Plug	Hole Size or Pipe Size	Depth	No. Sacks Cement	Slurry Volume	Calculated TOC	Measured Top of Plug If Tagged
1	CIP/Cem	5 1/2	4545	2	2.36	4526	
2	Cem	7 7/8 - 8 5/8	596	90	106.2	350	341
3	Cem	8 7/8	60	20	23.6	3	vis.
4							
5							

REMARKS **Circulate Casing w/ 9.5 # mud.** RECEIVED
DEC 02 2013
Reason for Plugging
OIL & GAS/ADA DISTRICT

CEMENTER CERTIFICATION
I certify that the cement plugs were placed in this well as shown on this report, per O.G.C. instructions. The cementing was performed by me or under my direct supervision. I certify all cementing data is true, correct and complete.
Signature **[Signature]** Date **12/14/12** Name and Title Typed or Printed **Kenneth W. Martin, President**
Company Name **Martin Tank Truck & Casing Pulling, Inc.** Permit No. **304**
Address **P.O. Box 383** Phone **918-225-2388**
City **Cushing** State **OK** Zip **74023**

OPERATOR CERTIFICATION
I declare under applicable Corporation Commission rule, that I am authorized to make this certification, that I have knowledge of the well data and information presented herein, and that data and facts presented are true, correct, and complete to the best of my knowledge. This covers all well data and information presented herein.
Signature **[Signature]** Date **12/13/12** Name and Title Typed or Printed **Rena Carter Regulatory Spec**

CORPORATION COMMISSION USE ONLY
By signing this form, the District Manager has approved the contents thereof as to form only. Said District Manager does not warrant the facts provided by the operator are true or that the operator has properly plugged the described well.
Signature of District Manager **[Signature]** Field Inspector **[Signature]**

PCN: C1271580L3
RUN DATE/TIME: 05/22/2008 16:56:00

OKLAHOMA CORPORATION COMMISSION
OIL AND GAS WELL RECORDS DEPARTMENT

PAGE: 9
AS OF DATE: 05/22/2008

TRANSFER OF OWNERSHIP UPDATE WELL INFORMATION

BATCH ID: 80508
SEQUENCE NUMBER: 0129

NEW OPERATOR NUMBER: 189340
NAME: MERIT ENERGY COMPANY
ADDRESS: 13727 NOEL RD STE 500

DALLAS TX 75240
TELEPHONE NUMBER: 9726281606
EFFECTIVE DATE: 05/22/08

OLD OPERATOR NUMBER: 216490
NAME: CORDILLERA ENERGY PARTNERS II
ADDRESS: 8450 E CRESCENT PKWY STE 400

GREENWOOD VILLA CO 80111
TELEPHONE NUMBER: 3032900990

***** API NUMBER: 125-23013 *****

OTC PROD UNIT: 000 00 00000 WELL CLASSIFICATION: OIL
LEGAL DESCRIPTION: 24 10N 03E NW4 SE4 NE4
COUNTY NAME: POTTAWATOMIE
WELL LEASE NAME: ROCK ISLAND
WELL NUMBER: 1
PRODUCTION FORMATION(S) AND CLASSIFICATION:

MAY 22 2008
WELL RECORDS
APPROVED

Instructions

- Please type or print using black ink.
- Form must be signed by former operator and new operator.
- Outline boundaries of lease and spot well being transferred.
- Attach 1002A for well.
- Questions should be directed to Well Records (405) 521-2275.

OKLAHOMA CORPORATION COMMISSION

Oil & Gas Conservation Division
Post Office Box 52000-2000
Oklahoma City, OK 73152-2000

612040608

Form 1073
Rev. 1996

Transfer of Operator
OAC 165:10-1-15

API No. 35-125-23013		OTC Prod. Unit No.	
Location	SHL NW SE NE BHL NW 1/4 SE 1/4 NE 1/4	Sec. 24	Twp. Rge. 10 North 3 East
Ft FSL of Qtr Sec 1075'		Ft FWL of Qtr Sec 1797'	
County Pottawatomie			
Current Well Name/No. Rock Island # 1			
Original Well Name/No. Rock Island # 1			
Unit Name (if applicable) Shawnee Townsite (Skinner) Unit			

2310'							
1650'							
990'							
330'							
2310'							
1650'							
990'							
330'							

5280 ft

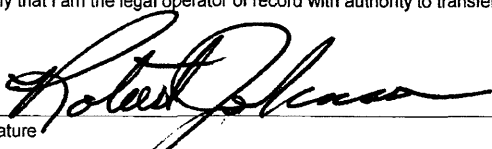
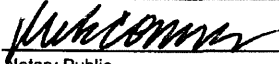
Locate Well On Grid Above

Well Class: ☒ Oil ☐ Gas ☐ Dry ☐ Plugged

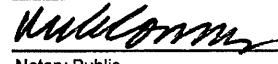
Producing formation(s) Lower Skinner	
Oil Transporter/Purchaser Sunoco	OTC No. 21108
Gas Measurer	OTC No.

The effective date of transfer of this well for the purposes of Commission records, is the date the transfer is approved by the Commission.

CURRENT OPERATOR

Name Vintage Petroleum, Inc.		OCC No. 12545
Address 110 West 7th Street		
City Tulsa	State OK	Zip 74119
Phone No. (918) 592-0101	FAX No.	
I verify that I am the legal operator of record with authority to transfer operatorship of this well. 		
Signature Robert Johnson, Production Superintendent		
Name & Title (Typed or Printed)		
Signed and sworn to before me this 29th day of November , 2006 		
My commission expires: 8-17-2008 #04007419		

NEW OPERATOR

Name Cordillera Energy Partners II, L.L.C.		OCC No. 21649
Address 8450 East Crescent Parkway, Suite 400		
City Greenwood Village	State CO	Zip 80111
Phone No. (303) 290-0990	FAX No. (303) 290-9997	
Being the new operator, as of the effective date and time of transfer accept the facts presented as being true and correct and accept the operational responsibility for the well on the described property. 		
Signature Robert Johnson, Production Superintendent		
Name & Title (Typed or Printed)		
Signed and sworn to before me this 29th day of November , 2006 		
My commission expires: 8-17-2008 #04007419		

I verify under oath that I have exercised due diligence in attempting to locate the current operator of record according to OCC records, who has abandoned the above well/lease and cannot be located to obtain signature. I have attached a copy of the certified recorded assignment of lease.

Signature

Signed and sworn to before me this _____ day of _____

Notary Public

My commission expires: **DEC 07 2006**

DEC 08 2006

FOR OCC USE ONLY

Surety Dept. ☒ Approved ☐ Rejected Date _____ Well Records Dept. ☒ Approved ☐ Rejected Date **WDMS**

NOTE: By processing this Form 1073, the Oklahoma Corporation Commission has approved the contents thereof as to form only. Oklahoma Corporation Commission does not warrant that the facts provided by the operator are true. Form is not approved until approved by Well Records.

1002A In Hand Processing

API NO.
125-23013
OTC PROD. UNIT NO.
NA

Rule 165:10-3-25

ORIGINAL

X AMENDED

Reason Amended

Second Amendment - Change Well Classification
From Injection to Oil ProducerCOMPLETION REPORT
OKLAHOMA CORPORATION COMMISSION

Oil & Gas Conservation Division

Post Office Box 52000

Oklahoma City, Oklahoma 73152-2000

Form 1002A

Rev. 2005

404
SKNR

612042025

COMPLETION & TEST DATA BY PRODUCING FORMATION

PLEASE TYPE OR USE BLACK INK ONLY

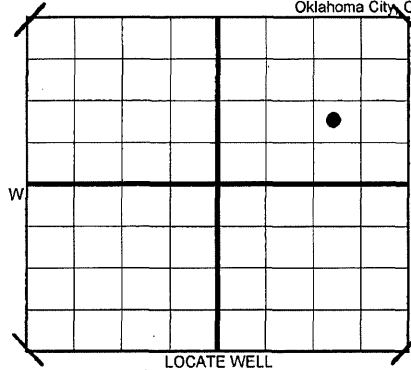
NOTE: Attach copy of original 1002A if recompletion or reentry

TYPE OF DRILLING OPERATION

X STRAIGHT _____ DIRECTIONAL HOLE _____ HORIZONTAL HOLE

If directional or horizontal, see reverse for bottom hole location.

COUNTY	SEC	TWP	RGE
Pottawatomie	24	10N	3E
LEASE NAME	WELL NO.		
Rock Island	# 1		
SHL			
NW SE NE	1075'	FSL 1797'	FWL OF 1/4 SEC
ELEVATION		SPUD DATE	
Derrick FI 1078'	Ground 1068'	06-14-88	
DRLG FINISHED	WELL COMPLETION		
07-01-88	07-27-88		
1ST PROD DATE	RECOMP DATE		
07-15-88	11-23-93		



OPERATOR NAME	OTC/OCC OPERATOR NO.	
Cordillera Energy Partners II, L.L.C.	21649	
ADDRESS		
8450 East Crescent Parkway, Suite 400		
CITY	STATE	ZIP
Greenwood Village	Colorado	80111

COMPLETION TYPE

X SINGLE ZONE
MULTIPLE ZONE ORDER NO.
COMMINGLED ORDER NO.
LOCATION EXCEPTION ORDER NO.
INCREASED DENSITY ORDER NO.
PENALTY

OIL OR GAS ZONES

FORMATIONS	TOP	BOTTOM
Skinner	4606'	4626'

CASING & CEMENT (Form 1002C must be attached)

TYPE	SIZE	WEIGHT	GRADE	FEET	PSI	SAX	FILLUP	TOP
Conductor								
Surface	8.625"	24 #	J-55	502'	800 #	512	502'	Circulated to Surface
Intermediate								
Production	5.50"	15.5 #	J-55	4848'	2000#	85	649	4199'
Liner								

PACKER @ 4518' BRAND & TYPE Halliburton R-4 TOTAL DEPTH 4848'

PLUG @ _____ TYPE _____

FORMATION	Skinner
SPACING & SPACING	
ORDER NUMBER	Unitization
CLASS: Oil, Gas, Dry, Inj, Disp, Comm Disp	Shawnee Townsite (Skinner) Unit Oil Well
PERFORATED INTERVALS	4619' - 4627'
ACID/VOLUME	500 Gallons (Initial Completion)
Fracture Treated?	Yes (Initial Completion)
Fluids Amounts	380 Barrels (Initial Completion)

INITIAL TEST DATA

INITIAL TEST DATE	* 4-13-06
OIL-BBL/DAY	Under Evaluation
OIL-GRAVITY (API)	1.80
GAS-MCF/DAY	--
GAS-OIL RATIO CU FT/BBL	--
WATER-BBL/DAY	75 BW
PUMPING OR FLOWING	Sub
INITIAL SHUT-IN PRESSURE	--
CHOKE SIZE	
FLOW TUBING PRESSURE	

A record of the formations drilled through, and pertinent remarks are presented on the reverse. I declare that I have knowledge of the contents of this report and am authorized by my organization to make this report, which was prepared by me or under my supervision and direction, with the data and facts stated herein to be true, correct, and complete to the best of my knowledge and belief.

SIGNATURE	Robert Johnson - Production Superintendent
NAME (PRINT OR TYPE)	
8450 East Crescent Parkway, Suite 400	Greenwood Village Colorado 80111
ADDRESS	CITY STATE ZIP
November 29, 2006	(303) 290-9997
DATE	PHONE NUMBER

PLEASE TYPE OR USE BLACK INK ONLY
FORMATION RECORD

Give formation names and tops, if available, or descriptions and thickness of formations drilled through. Show intervals cored or drillstem tested.

LEASE NAME Rock Island

WELL NO. 1

NAMES OF FORMATIONS	TOP	BOTTOM
Hogshooter Lime	3138'	
Checkerboard Lime	3228'	
Cleveland Sand	3502'	
Wewoka Sand	3752'	
Oswego Sand	4270'	
Prue Zone	4342'	
Verdigris Lime	4456'	
Lower Skinner Zone	4547'	
Lower Skinner Sand	4606'	4626'
Redfork Zone	4644'	
Bartlesville Zone	4786'	
Total Depth	4848'	

FOR COMMISSION USE ONLY	
APPROVED	DISAPPROVED
	<u>Li</u>
1) ITD Section	
a) No Intent to Drill on file	
1) Send warning letter	
2) Recommend for contempt	
2) Reject Codes	
<u>VH</u>	
<u>2-13-07</u>	

Were open hole logs run?	X	no
Date Last log was run	June 30, 1988	
Was CO ₂ encountered?	yes	X at what depths?
Was H ₂ S encountered?	yes	X at what depths?
Were unusual drilling circumstances encountered?	yes	X
If yes, briefly explain.		

Other remarks:

* Prod. Test Per Rick (Somerlog) 2-13-07 VH

640 Acres

If more than two drainholes are proposed, attach a separate sheet indicating the necessary information.

Direction must be stated in degrees azimuth.

Please note, the horizontal drainhole and its end point must be located within the boundaries of the lease or spacing unit.

Directional surveys are required for all drainholes and directional wells.

BOTTOM HOLE LOCATION FOR DIRECTIONAL HOLE

SEC	TWP	RGE	COUNTY
Spot Location			Feet From Quarter Section Lines
1/4	1/4	1/4	FSL FWL
Measured Total Depth		True Vertical Depth	BHL From Lease, Unit

BOTTOM HOLE LOCATION FOR HORIZONTAL HOLE: (DRAINHOLES)

SEC	TWP	RGE	COUNTY
Spot Location			Feet From Quarter Section Lines
1/4	1/4	1/4	FSL FWL
Depth of Deviation		Radius of Turn	Direction Total Length
Measured Total Depth		True Vertical Depth	End Pt Location From Lease, Unit or Property Line:

DRAINHOLE #2

SEC	TWP	RGE	COUNTY
Spot Location			Feet From Quarter Section Lines
1/4	1/4	1/4	FSL FWL
Depth of Deviation		Radius of Turn	Direction Total Length
Measured Total Depth		True Vertical Depth	End Pt Location From Lease, Unit or Property Line:

API NO.
125-23013
OTC PROD. UNIT NO.
NA

Rule 165:10-3-25

ORIGINAL

X AMENDED

Reason Amended

Amend Well Classification, Operator & Packer

Setting Depth

COMPLETION REPORT
OKLAHOMA CORPORATION COMMISSION

Oil & Gas Conservation Division

Post Office Box 52000

Oklahoma City, Oklahoma 73152-2000

Form 1002A

Rev. 2005

PLEASE TYPE OR USE BLACK INK ONLY

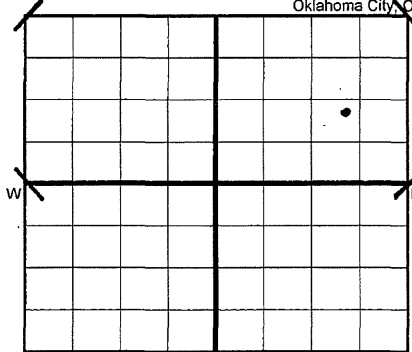
NOTE: Attach copy of original 1002A if recompletion or reentry

TYPE OF DRILLING OPERATION

STRAIGHT X DIRECTIONAL HOLE HORIZONTAL HOLE

If directional or horizontal, see reverse for bottom hole location.

COUNTY	Pottawatomie	SEC	24	TWP	10N	RGE	3E
LEASE NAME	Rock Island	WELL NO.	# 1				
SHL	NW SE NE	1075'	FSL	1797'	FWL OF 1/4 SEC		
ELEVATION	Derrick Fl 1078'	Ground	1068'	SPUD DATE	06-14-88		
DRLG FINISHED	07-01-88	WELL COMPLETION	07-27-88				
1ST PROD DATE	07-15-88	RECOMP DATE	Converted INJ	11-23-93			



LOCATE WELL

OPERATOR NAME	Cordillera Energy Partners II, L.L.C.	OTC/OCC OPERATOR NO.	21649
ADDRESS	8450 East Crescent Parkway, Suite 400		
CITY	Greenwood Village	STATE	Colorado
		ZIP	80111

COMPLETION TYPE
SINGLE ZONE
MULTIPLE ZONE ORDER NO.
COMMINGLED ORDER NO.
LOCATION EXCEPTION ORDER NO.
INCREASED DENSITY ORDER NO.
PENALTY

OIL OR GAS ZONES	TOP	BOTTOM
FORMATIONS		

CASING & CEMENT (Form 1002C must be attached)

TYPE	SIZE	WEIGHT	GRADE	FEET	PSI	SAX	FILLUP	TOP
Conductor								
Surface	8.625"	24 #	J-55	502'	800 #	512	502'	Surface
Intermediate								
Production	5.50"	15.5 #	J-55	4848'	2000#	85	649	4199'
Liner								

PACKER @ 4518' BRAND & TYPE Halliburton R-4 TOTAL DEPTH 4848'

PLUG @ TYPE

FORMATION	Skinner
SPACING & SPACING ORDER NUMBER	378162/532851
CLASS: Oil, Gas, Dry, Inj, Disp, Comm Disp	Injection
PERFORATED INTERVALS	4619' - 4627'
ACID/VOLUME	500 Gallons (Initial Completion)
Fracture Treated?	Yes (Initial Completion)
Fluids Amounts	380 Barrels (Initial Completion)

INITIAL TEST DATA

INITIAL TEST DATE	
OIL-BBL/DAY	
OIL-GRAVITY (API)	
GAS-MCF/DAY	
GAS-OIL RATIO CU FT/BBL	
WATER-BBL/DAY	
PUMPING OR FLOWING	
INITIAL SHUT-IN PRESSURE	
CHOKE SIZE	
FLOW TUBING PRESSURE	

A record of the formations drilled through, and pertinent remarks are presented on the reverse. I declare that I have knowledge of the contents of this report and am authorized by my organization to make this report, which was prepared by me or under my supervision and direction, with the data and facts stated herein to be true, correct, and complete to the best of my knowledge and belief.

SIGNATURE	Robert Johnson - Production Superintendent
NAME (PRINT OR TYPE)	
8450 East Crescent Parkway, Suite 400	Greenwood Village Colorado 80111
ADDRESS	CITY STATE ZIP
November 14, 2006	(303) 290-9997
DATE	PHONE NUMBER

PLEASE TYPE OR USE BLACK INK ONLY
FORMATION RECORD

Give formation names and tops, if available, or descriptions and thickness of formations drilled through. Show intervals cored or drillstem tested.

LEASE NAME Rock Island

WELL NO. 1

NAMES OF FORMATIONS	TOP	BOTTOM
Hogshooter Lime	3138'	
Checkerboard Lime	3228'	
Cleveland Sand	3502'	
Wewoka Sand	3752'	
Oswego Sand	4270'	
Prue Zone	4342'	
Verdigris Lime	4456'	
Lower Skinner Zone	4547'	
Lower Skinner Sand	4606'	4626'
Redfork Zone	4644'	
Bartlesville Zone	4786'	
Total Depth	4848'	

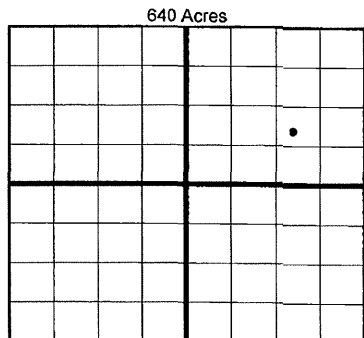
FOR COMMISSION USE ONLY	
APPROVED	DISAPPROVED
	<i>[Signature]</i>
1) ITD Section	
a) No Intent to Drill on file	
1) Send warning letter	
2) Recommend for contempt	
2) Reject Codes	
<i>SPV</i>	
<i>1-3-07</i>	

Were open hole logs run?	X <u>yes</u> no
Date Last log was run	June 30, 1988
Was CO ₂ encountered?	yes X <u>NO</u> at what depths?
Was H ₂ S encountered?	yes X <u>NO</u> at what depths?
Were unusual drilling circumstances encountered?	yes X <u>NO</u>
If yes, briefly explain.	

Other remarks:

Well was converted from a Oil Producer to an EOR Injection Well by OCC Order No. 378162, on November 23, 1993.

Dir. info. per orig. 1002A and Dir. Survey SPV 1-3-07



BOTTOM HOLE LOCATION FOR DIRECTIONAL HOLE

SEC <u>24</u>	TWP <u>10N</u>	RGE <u>3E</u>	COUNTY <u>Pott</u>
Spot Location <u>SW 1/4 NW 1/4 SE 1/4 NE 1/4</u>			Feet From Quarter Section Lines
Measured Total Depth <u>4843</u>			BHL From Lease, Unit <u>915</u> FSL <u>1633</u> FWL
True Vertical Depth <u>4819</u>			

BOTTOM HOLE LOCATION FOR HORIZONTAL HOLE: (DRAINHOLES)

SEC	TWP	RGE	COUNTY
Spot Location			Feet From Quarter Section Lines
1/4 1/4 1/4 1/4			FSL FWL
Depth of Deviation	Radius of Turn	Direction	Total Length
Measured Total Depth	True Vertical Depth	End Pt Location From Lease, Unit or Property Line:	

If more than two drainholes are proposed, attach a separate sheet indicating the necessary information.

Direction must be stated in degrees azimuth.

Please note, the horizontal drainhole and its end point must be located within the boundaries of the lease or spacing unit.

Directional surveys are required for all drainholes and directional wells.

DRAINHOLE #2

SEC	TWP	RGE	COUNTY
Spot Location			Feet From Quarter Section Lines
1/4 1/4 1/4 1/4			FSL FWL
Depth of Deviation	Radius of Turn	Direction	Total Length
Measured Total Depth	True Vertical Depth	End Pt Location From Lease, Unit or Property Line:	

OKLAHOMA CORPORATION
COMMISSION

OKLAHOMA CORPORATION COMMISSION
OIL AND GAS CONSERVATION DIVISION
Jim Thorpe Office Building
Oklahoma City, Oklahoma 73105-4993
OAC 165:10-1-15

FORM 1073
(Rev 1992)

APR 1993

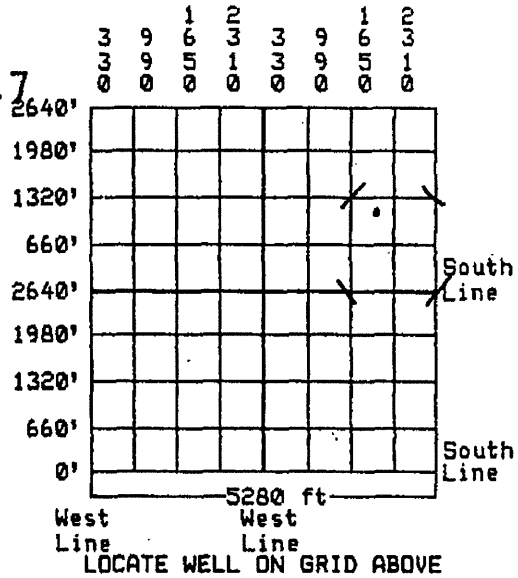
30405618

INSTRUCTIONS FOR CONSERVATION

- A. PLEASE TYPE OR USE BLACK INK.
B. FORM MUST BE SIGNED BY FORMER AND NEW OPERATOR.
C. OUTLINE BOUNDARIES OF LEASE AND SPOT WELL BEING TRANSFERRED.
D. ATTACH 1002A FOR WELL.

002347

API No. 125-23013		
OTC Prod. Unit No. 125-91472-1		
Location: NW 1/4 SE 1/4 NE 1/4 1/4		
Sec. 24	Twp. 10N	Rge. 3E
County Pottawatomie		
Ft. FSL 1075	Ft. FWL 1797	
Current Well Name & No. Rock Island #1		
Original Well Name & No. Rock Island #1		



Unit Name (if applicable) Shawnee Townsite (Skinner) Unit	
Well Class.: ☒ Oil ☐ Gas ☐ Dry/Plugged	Transfer Effective Date Mo/Da/Yr: 3-1-93
Producing Formation(s): Skinner	
Oil Transporter/Purchaser Sun Refining & Marketing	OTC No. 15234
Gas Measurer Bethel Gas Co.	OTC No. 08904

FORMER OPERATOR

Name Estoril Producing Corp.	
OTC No. 06932	
Address 400 W. Illinois, Suite 1600	
City Midland	State TX
Zip 79701	(AC) Phone 405-273-6177
Being the current operator, I certify that the facts presented are true and correct as to the well being transferred.	
 Signature Name and Title (Print or Type) RICHARD A. KARFANTA PETR. ENGR.	

NEW OPERATOR

Name Vintage Petroleum, Inc.	
OTC No. 12545	
Address 4200 One Williams Center	
City Tulsa.	State OK
Zip 74172	(AC) Phone 918-592-0101
Being the new operator, as of the effective date and time of transfer accept the facts presented as being true and correct and accept the operational responsibility for the well on the described property.	
 Signature Name and Title (Print or Type) Leann Ogee Supv., Regulatory Affairs	

SEC. 24
TWP. 10N
RGE. 3E

FOR D.C.C. USE ONLY

	Approved Date	Rejected Date	Reason
Surety Dept.	APR 07 1993		
Production Dept.			
Well Records Dept.	APR 16 1993		

APR 16 1993

10A. OTC/OCC Oper No.
06932

1. API Number

125-23013

2. OTC Prod. Unit No.

This form is an Original ☒ Amended ☐To be filed within 30 days after drilling is completed
OKLAHOMA CORPORATION COMMISSION

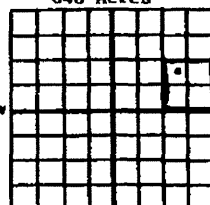
OIL AND GAS CONSERVATION DIVISION

Jim Thorpe Building / Oklahoma City, Oklahoma 73105-4993

PLEASE TYPE OR USE BLACK INK ONLY

3. County Pottawatomie Sect. 24 Twp 10N Range 3E4. Lease Name Rock Island 5. Well No. 17. Well Located NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8. 1075 Ft From S.L. of $\frac{1}{4}$ Sect. and 1797 Ft. From W.L. of $\frac{1}{4}$ Sect. W9. Elevation: Derrick Floor 1078 Ground 106810. COMPANY OPERATING Estoril Producing CorporationAddress 400 W. Illinois, Suite 1600City Midland State TX Zip 7970111. Drilling Started 6-14, 1988 Drilling Finished 7-1, 198812. Well Completed 7-27, 1988 Date-First Prod. 7-15, 1988

640 Acres

6. Locate Well
And Outline Lease

13. TYPE COMPLETION

Single Zone X

Multiple Zone _____ Order No. _____

Commingled _____ Order No. _____

LOCATION EXCEPTION _____ Order No. _____

INCREASED DENSITY _____ Order No. _____

14. Penalty _____

15. OIL OR GAS ZONES

Name	From	To	Name	From	To
Skinner	4606	4626			

16. CASING & CEMENT

Surf. & Prod. Casing Set					Csg Test				Cement	
Type	Size	Weight	Grade	Feet	PSI	Sax	Fillup			Top
Conductor										
Surface	8 5/8"	24#	J-55	502	800#	512	Circulated			
Intermediate										
Production	5 1/2"	15.50#	J-55	4848	2000#	85	649			4199
Liner										

18. PACKERS SET

Depth 4576' Type 5 1/2" SOT Arrow Packer17. TOTAL DEPTH 4848'

(Over)

Why?

19. COMPLETION & TEST DATA BY PRODUCING FORMATION

4045KNR 1 2 3

FORMATION	Skinner		
SPACING & SPACING ORDER NUMBER	40 AC 259410		
CLASSIFICATION (Oil, Gas, Dry, Inj. Well)	Oil		
PERFORATED	4619' - 4627'		
INTERVALS	1 foot		
ACID/VOLUME	Yes/500g.		
FRACTURE TREATED?	Yes		
Fluids Amounts	380 bbls.		
INITIAL TEST DATA:			
Date	7-27-88		
Oil-bbl/day	163.68		
Oil-Gravity (*API)	35		
Gas-MCF/day	149		
Gas-Oil Ratio Cu. Ft/bbl	910 - 1		
Water-bbl/day	12		
Pumping or Flowing	Flowing		
Initial Shut-In Pressure	1200#		
CHOKE SIZE	15/64		
FLOW TUBING PRESSURE	320#		

A record of the formations drilled through, and pertinent remarks are presented on the reverse.

I declare that I have knowledge of the contents of this report and am authorized by my organization to make this report, which was prepared by me or under my supervision and direction, with the data and facts stated herein to be true, correct and complete to the best of my knowledge and belief.

Stanley Moody Engineer
Signature Title

P.O. Box 3488 Shawnee OK 74802
Address City State Zip

7-27-88 405-273-6177
Date Phone

23. WELL NO. _____

(RULE 3-205) FORMATION RECORD

24.

Was an electrical survey run? X YES NO. Date last log was run 6-30-88

Was CO₂ encountered? X YES NO. If so, at what depth(s) _____

Was H₂S encountered? X YES NO. If so, at what depth(s) _____

Direct. Survey: True Vertical Depth: 4819' 26. Projections: 158' S (N/S) 160' W (E/W)

Were unusual drilling circumstances encountered? Yes _____ No X If yes, briefly explain: _____

Other Remarks Surf. Location - NW SE NE Sec. 24-T10N-R3E 1075' FSL & 1797' FWL of NE/4

Btm. Hole Location - NW SE NE Sec. 24-T10N-R3E - 917' FSL & 1637' FWL of NE/4

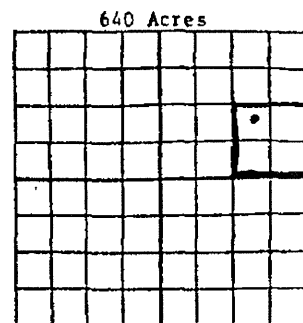
CEMENTING REPORT
TO ACCOMPANY COMPLETION REPORT

OKLAHOMA CORPORATION COMMISSION
Oil & Gas Conservation Division
(Rule 3-206)

API No. 125-23013

Jim Thorpe Bldg / Oklahoma City, Ok 73105-4993

OTC/OCC Oper. No. 06932



Locate Well and Outline
Lease

All operators must include this form when submitting the Completion Report, (Form No. 1002A). The signatures on this statement must be that of qualified employees of the cementing company and operator to demonstrate compliance with Rule 3-206. It may be advisable to take a copy of this form to location when cementing work is performed.

*1. Field Name <u>Shawnee</u>		*2. O.C.C. District <u>IV</u>	
*3. Operator <u>ESTORIL</u>		*4. County <u>Butt. Co.</u>	
*5. Lease Name <u>Rock Island</u>		*6. Well Number <u>1</u>	
*7. Location NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ <u>24</u> <u>10N</u> <u>3E</u>		Section Township Range	
CEMENT CASING DATA:	CONDUCTOR CASING	SURFACE CASING	INTERMEDIATE CASING
8. Cementing Date			7-1-88
*9. (a) Size of Drill Bit (inches)			7 7/8
(b) Estimated % wash or hole enlargement used in calculations.			
*10. Size of Casing (inches O.D.)			5 1/2
*11. Top of Liner (if liner used) (ft.)			
*12. Setting Depth of Casing (ft.) from ground level			4846
13. Type of Cement (API Class)			CLASS H
(a) in first (lead) or only Slurry.			
(b) In second Slurry			
(c) In third Slurry			
14. Sacks of cement used:			85 SKS
(a) In first (lead) or only Slurry			
(b) In second Slurry			
(c) In third Slurry			
15. Vol of Slurry pumped: (Cu ft) (14" X 13")			132.6 Cu ft
(a) In first (lead) or only Slurry			23.6 bbls
(b) In second Slurry			
(c) In third Slurry			
16. Calculated Annular Height of Cement behind Pipe (ft)			1,130
17. Cement left in pipe (ft)			42
*18. Amount of Surface Casing Required (from Form 1000) <u>475</u> ft.			
*19. Was cement circulated to Ground Surface? Yes ☒ No ☒		*20. Was Cement Staging Tool (DV Tool) Used? Yes ☐ No ☒	
*21. Was Cement Bond Log run? (If so, ATTACH COPY).		*22. If answer to 20. is yes, at what depth? _____ ft.	

(CEMENTING COMPANY AND OPERATOR MUST COMPLY WITH THE INSTRUCTIONS ON REVERSE SIDE HEREOF.)

-OVER-

*Designates items to be completed by Operator. Items not so designated shall be completed by the Cementing Co.

26. Remarks: <u>CEMENTING COMPANY</u> I declare under applicable Corporation Commission rule, that I am authorized to make this certification, that the cementing of casing in this well as shown in the report was performed by me or under my supervision, and that the cementing data and facts presented on both sides of this form are true, correct and complete to the best of my knowledge. This certification covers cementing data only. <u>Bruce Steele</u> Signature of Cementor or Authorized Representative <u>Bruce Steele Cementer</u> Name of person and Title (Type or Print) <u>Western Co of N. A.</u> Cementing Company <u>P.O. Box 850750</u> Street Address or P. O. Box <u>Yukon</u> <u>OKLA</u> <u>73099</u> City State Zip Telephone <u>405</u> <u>354 8861</u> Area Code <u>7-1-88</u> Date	*27. Remarks: <u>*OPERATOR</u> I declare under applicable Corporation Commission rule, that I am authorized to make this certification, that I have knowledge of the well data and information presented in this report, and that data and facts presented on both sides of this form are true, correct and complete to the best of my knowledge. This certification covers all well data and information presented herein. <u>GEO. H. FISHER</u> *Signature of Operator or Authorized Repres. <u>GEO. H. FISHER DELEG. SUPT.</u> *Name of Person and Title (Type or Print) <u>Estoril Producing Corporation</u> *Operator <u>P.O. Box 3488</u> *Street Address or P. O. Box <u>Shawnee</u> <u>OK</u> <u>74802</u> *City State Zip Telephone <u>405-</u> <u>273-6177</u> Area Code <u>7-1-88</u> Date
---	--

INSTRUCTIONS

1. a) This form shall be filed by the operator, at the O.C.C. office in Oklahoma City, as an attachment to the Completion Report for a producing well or a dry hole.
 b) An original and one copy of this form shall be filed as an attachment to the Completion Report, (form 1000-A) for each cementing company used on a well.
 c) The cementing of different casing strings on a well by one cementing company may be consolidated on one form (to be filed in duplicate).
2. Cementing Company and Operator shall comply with the applicable portions of O.C.C. Rule 3-206.
3. Set surface casing 50 feet below depth of treatable water to be protected and cement from casing shoe to ground surface or as allowed by Rule 3-206.
4. IF SETTING ANYTHING OTHER THAN THE FULL AMOUNT OF SURFACE CASING, BE SURE TO FOLLOW THE CORPORATION COMMISSION REGULATIONS.

Form No. 1002C
1985

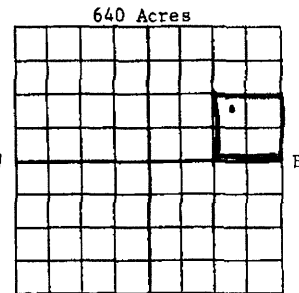
CEMENTING REPORT
TO ACCOMPANY COMPLETION REPORT

OKLAHOMA CORPORATION COMMISSION
Oil & Gas Conservation Division

API No. 125-23013

Jim Thorpe Bldg / Oklahoma City, Ok 73105-4993
(Rule 3-206)

OTC/OCC Oper. No. 06932



All operators must include this form when submitting the Completion Report (Form No. 1002A). The signatures on this statement must be that of qualified employees of the cementing company and operator to demonstrate compliance with Rule 3-206. It may be advisable to take a copy of this form to location when cementing work is performed.

Locate Well and Outline
Lease

*1. Field Name <u>Shawnee Townsite</u>		*2. O.C.C. District <u>IV</u>			
*3. Operator <u>Estoril Producing Corporation</u>		*4. County <u>Pottawatomie</u>			
*5. Lease Name <u>Rock Island</u>		*6. Well Number <u>1</u>			
*7. Location NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section <u>24</u> Township <u>10N</u> Range <u>3E</u>					
CEMENT CASING DATA:	CONDUCTOR CASING	SURFACE CASING	INTERMEDIATE CASING	PRODUCTION STRING	LINER
8. Cementing Date		<u>4/15/88</u>			
*9. (a) Size of Drill Bit (inches)					
(b) Estimated % wash or hole enlargement used in calculations.					
*10. Size of Casing (inches O.D.)		<u>8 5/8</u>			
*11. Top of Liner (if liner used) (ft.)					
*12. Setting Depth of Casing (ft.) from ground level		<u>502</u>			
13. Type of Cement (API Class) (a) in first (lead) or only Slurry.		<u>See #23 H</u>			
(b) In second Slurry					
(c) In third Slurry					
14. Sacks of cement used: (a) In first (lead) or only Slurry		<u>350</u>			
(b) In second Slurry		<u>162</u>			
(c) In third Slurry					
15. Vol of Slurry pumped: (Cu ft)(14.X 15.) (a) In first (lead) or only Slurry		<u>410</u>			
(b) In second Slurry		<u>190</u>			
(c) In third Slurry					
16. Calculated Annular Height of Cement behind Pipe (ft)		<u>to surface</u>			
17. Cement left in pipe (ft)		<u>29 1/2</u>			
*18. Amount of Surface Casing Required (from Form 1000) <u>475</u> ft.					
*19. Was cement circulated to Ground Surface? Yes ☒ No ☐		*20. Was Cement Staging Tool (DV Tool) Used? Yes ☐ No ☒			
*21. Was Cement Bond Log run? (If so, ATTACH COPY).		*22. If answer to 20. is yes, at what depth? _____ ft.			

(CEMENTING COMPANY AND OPERATOR MUST COMPLY WITH THE INSTRUCTIONS ON REVERSE SIDE HEREOF.)

-OVER-

*Designates items to be completed by Operator. Items not so designated shall be completed by the Cementing Co.

26. Remarks: Reg H 3% CaCl₂ 1/4# Cellulose	*27. Remarks:
<u>CEMENTING COMPANY</u> I declare under applicable Corporation Commission rule, that I am authorized to make this certification, that the cementing of casing in this well as shown in the report was performed by me or under my supervision, and that the cementing data and facts presented on both sides of this form are true, correct and complete to the best of my knowledge. This certification covers cementing data only. Signature of Cementer or Authorized Representative <u>Dale Rogers</u> Name of person and Title (Type or Print) <u>BQ titan</u> Cementing Company <u>PO Box 111</u> Street Address or P. O. Box <u>Seminole</u> <u>Oklahoma</u> City State Zip Telephone <u>405</u> <u>382-0844</u> Area Code <u>6/15/88</u> Date	<u>*OPERATOR</u> I declare under applicable Corporation Commission rule, that I am authorized to make this certification, that I have knowledge of the well data and information presented in this report, and that data and facts presented on both sides of this form are true, correct and complete to the best of my knowledge. This certification covers all well data and information presented herein. *Signature of Operator or Authorized Repres. <u>Geo. H. Fisher DeLa Supt</u> *Name of Person and Title (Type or Print) <u>Estoril Producing Corporation</u> *Operator <u>P.O. Box 3488</u> *Street Address or P. O. Box <u>Shawnee</u> <u>OK</u> <u>74802</u> *City State Zip Telephone <u>405</u> <u>273-6177</u> Area Code <u>6-15-88</u> Date

INSTRUCTIONS

1. a) This form shall be filed by the operator, at the O.C.C. office in Oklahoma City, as an attachment to the Completion Report for a producing well or a dry hole.
- b) An original and one copy of this form shall be filed as an attachment to the Completion Report, (form 1002-A) for each cementing company used on a well.
- c) The cementing of different casing strings on a well by one cementing company may be consolidated on one form (to be filed in duplicate).
2. Cementing Company and Operator shall comply with the applicable portions of O.C.C. Rule 3-206.
3. Set surface casing 50 feet below depth of treatable water to be protected and cement from casing shoe to ground surface or as allowed by Rule 3-206.
4. IF SETTING ANYTHING OTHER THAN THE FULL AMOUNT OF SURFACE CASING, BE SURE TO FOLLOW THE CORPORATION COMMISSION REGULATIONS.

O.C.C. CAS CO

APPLICATION TO DRILL, RECOMPLETE OR REENTER
(See Instructions on Back)

Form 1000
(Rev. 1987)

WALK THROUGH

FILE ORIGINAL ONLY

PLEASE TYPE OR USE BLACK INK ONLY

1. OTC/OCC Operator Number
06932

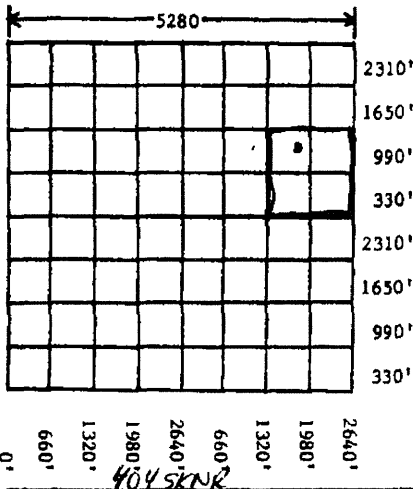
2. API Number
125-23013

3. Locate Well and Outline
Lease or Spacing Unit

OKLAHOMA CORPORATION COMMISSION
Oil & Gas Conservation Division
Jim Thorpe Building
Oklahoma City, Oklahoma 73105-4993
(Rule 3-204)

Batch I.D. (OCC Use Only)

06138015



4. NOTICE OF INTENTION TO:
☒ Drill ☐ Recomplete ☐ Reenter ☐ Amend Reason Amended _____
5. WELL LOCATION: NOTE: If well is to be directionally drilled, put bottom hole location on reverse side and check box. ☐

Section 24	Township 10N	Range 3E	County Pottawatomie
Well Location NW 1/4 SE 1/4 NE 1/4		East from Quarter Section South Line 1075 West Line 1797	
6. Well will be <u>843</u> feet from the nearest lease, property or unit boundary.			
7. Lease Name <u>Rock Island</u>		Well No. <u>1</u>	
8. Name of Operator <u>Estoril Producing Corporation</u>			
Address <u>400 W. Illinois, Suite 1600</u>		Phone (AC/Number) <u>915-683-6101</u>	
City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>	

9. Target Formations and Depths of each (Limited to Ten)
Skinner - 4578' TVD, Red Fork - 4624' TVD, Bartlesville - 4715' TVD

10. Spacing Order Number(s) and Size of Spacing Unit(s)
259410 40 AC. 251813

11. Pending Application C.D. No. 140781

12. Location Exception Order No.

13. Increased Density Order No.

14. Total Depth
5100' TVD

15. Ground Elev.
1068'

16. Date Oper. to Begin
6-14-88

17. Surf. Casing Depth 475' Alternative Surface Casing Method ☐ 6-13-88

WELL NAME
Rock Island

SECTION
24

TOWNSHIP
10N

RANGE
3E

WELL NO.
1

18. For Alternative Casing Procedures see General Rule 3-206 (Affidavit Required, see Reverse Side)
Check Appropriate box and fill in blank: Depth to Base of Treatable Water-bearing Formations: 425
A. Treatable Water will be protected by use of a two stage cementing tool set at _____ depth.
B. Cement will be circulated from total depth to the ground surface on the production casing string.
C. Cement will be circulated from _____ depth to _____ depth on the next casing string set.
19. Is well being drilled under Federal jurisdiction? ☐ yes ☒ no
20. PROPOSED METHOD FOR DISPOSAL OF DRILLING FLUIDS (must be completed):
A. Evaporation/dewater and leveling of reserve pit;
B. Annular Injection (requires permit and surface casing set 200 ft. below base of Treatable Water-bearing fm);
C. Onsite soil farming (requires permit);
D. Haul to commercial earthen pit facility; specify site O'Daniel Mud, Maud, Ok. #274874
E. Haul to commercial soil farming facility; specify site _____
F. Haul to recycling/reuse facility; specify site _____
G. Other method; specify Classed System

21. WELL LOCATION SURFACE OWNER: (Must be completed: Attach Sheet for Additional Surface Owners)

Name <u>Missouri-Kansas-Texas Railroad Company</u>
Address <u>701 Commerce</u>
City <u>Dallas</u>
State <u>TX</u>
Zip <u>75202</u>

I hereby certify that I am authorized to submit this two page application, which was prepared by me or under my supervision and direction. The facts and proposals made herein are true to the best of my knowledge and belief.

22. Signature Bill Allison Title Vice President Date 6-09-88

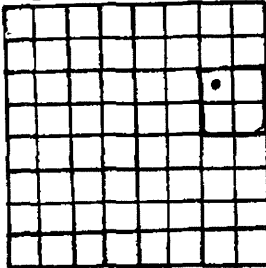
Address P.O. Box 3488, Shawnee, Oklahoma 74802 Phone (AC/Number) 405-273-6177

NOTICE: This application is void if drilling is not started within six (6) months of approval date. An approved permit must be posted on location while drilling and completing well. File the Form 1001A, Spud Report, within 14 days of commencement of operations.

WALK THROUGH
APPROVAL

JUN 13 1988

Locate Bottom Hole



23. BOTTOM HOLE LOCATION ON A DIRECTIONALLY DRILLED WELL:

Section 24	Township ION	Range 3E	County Pottawatomie
Well Location C of 1/4 NW 1/4 SE 1/4 NE 1/4		Feet from Quarter Section South Line 990' West Line 1650'	

INSTRUCTIONS

1. File original form only.
2. Answer all questions, no. 1 through no. 22 (except no. 2 for new wells only).
3. If well is to be directionally drilled place bottom hole location on plat above and complete no. 23. Check box under no. 4.
4. If alternative casing program is proposed, see General Rule 3-206 for applicable method. A cement bond log must be run from no less than 100 feet below the base of the treatable water-bearing formations to the ground surface and submitted with the Form 1002A, Completion Report.
5. If alternative casing program is proposed, the affidavit below (no. 24) must be completed. The location, depth of the producing interval(s) and name(s) and address(es) of the owner/operator of each water well applicable may be obtained through the Oklahoma Water Resources Board, P.O. Box 53583, Oklahoma City, OK 73152, or the Oklahoma Conservation Commission, 2800 N. Lincoln, Ste. 600, Oklahoma City, OK 73105.

00'0\$ 9NH

00'00\$ 9NH

00'00\$ 9NH

00'00\$ 9NH

The proposed method of disposal of drilling fluids must be completed per General Rule 3-204. If the listed method is changed, the appropriate OCC District office must be notified in writing prior to commencement of the new disposal method.

24. AFFIDAVIT FOR ALTERNATIVE CASING PROGRAM
(signature on front of form attests to this affidavit)

1000 0 2219#200 86/21/90W400:01

1. This proposed well shall not penetrate any known lost circulation zone.
2. During drilling of this well, withdrawals from any water well within a quarter mile radius of this proposed well shall not exceed 50 gallons per minute.
3. List the following for each water well within a quarter mile radius of this proposed well. (If no water wells are found, please state.)

Name of Owner/Operator Address of Owner/Operator Location (nearest 1/4) Deepest Producing Interval

INTENT TO DRILL CHECKLIST
(For OCC Use Only)

Approved Rejected

SA SA

SA SA

SA SA

SA SA

1. Surety
 - A. None filed
 - B. Expired: date _____
 - C. Outstanding Contempt Order _____
2. Intents _____
3. Spacing _____
4. Geology
 - A. Surface Casing
 1. Insufficient amount, requires _____ ft.
 2. Insufficient Alternative Casing Program
 3. No Affidavit Submitted for Alternative Casing Program
 4. Reentry, requires _____ ft., only _____ current
 - B. Unspaced: less than 2500 ft. (165')/more than 2500 ft. (330') only _____ ft. from N/S and _____ from E/W line
 - C. Spaced: Spacing Order No. _____
 1. Square pattern; 24, 10, 40, 160, 640
 2. Rectangular pattern; 5, 20, 80, 320 NW/SE or NE/SW
 3. Rectangular slot pattern; 5, 20, 80, 320 prior to 1971 (T,M) SU/LD
 - D. Location Exception
 1. Surface hole location different
 2. Bottom hole location different
 - E. Pending Application: Spacing/Location Exception C.D. No.: _____ H.O.M. Date: _____
 - F. Operator Name different in order No. _____ Name on Order _____ Location Exception/Increase Density/Pooling _____
 - G. Increase Density/Location Exception Order expired: date _____
 - H. Outline lease or property boundary lines _____

257833/ does not apply to NE 1/4

259410/40AC

cal, (SR) (BVL) BP4 sd, UL 1Wx, 2Wx

CO: 110981 does not apply to NE 1/4



CITY OF SHAWNEE, OKLAHOMA
APPLICATION TO PLUG AN OIL OR
GAS WELL

APPLICANT'S INFORMATION

Applicant: LINN Operating, Inc

Applicant's Address: 14000 Quail Springs Parkway, Ste 5000

City Oklahoma City State OK Zip Code 73134

Applicant's Point of Contact: Melanie Crawford

Point of Contact Telephone Number: 405-241-2237

Operator of Well: LINN Operating, Inc

Operator's Address: 14000 Quail Springs Parkway, Ste 5000

City Oklahoma City State OK Zip Code 73134

Operator's Point of Contact: Melanie Crawford

Point of Contact Telephone Number: 405-241-2237

Lease Name: Fairgrounds 1

Well Location: NW 1/4, SE 1/4, NE 1/4

Section: 24

Range: 10N

Township: 3E

ATTACHMENTS:

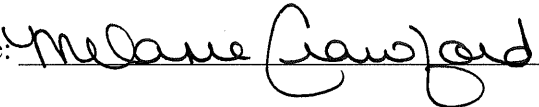
- Attach copies of all records filed with the Oklahoma Corporation Commission covering the original drilling or re-drilling of the well, completion or re-completion, or reclassification of the well.
- Attach a well bore diagram or use the one furnished with the application to show the present condition of the well. NOTE: show all casing strings, and perforations, whether squeezed-off or not; show any plugs in the well; and show the top of the cement outside the casing strings.

- Attach copies of any temperature survey logs or cement bond logs run to determine the top of the cement outside the casing strings.
- Attach a well bore diagram or use the one furnished with the application to show the proposed plugged condition of the well. NOTE: show all casing stubs and all cement plugs, bridge plugs and retainers to be placed in the well; show the base of the fresh water zone in relation to the proposed plugs; show the plugs in relation to the shallowest zone known to produce hydrocarbons in Shawnee; show the depth surface casing will be cut off below ground level; include the specifications for all cement to be placed in the well.
- Attach copies of electric logs from this well or other wells in the vicinity as evidence of the depth of the fresh water in the vicinity of the well to be plugged.
- The City's Oil & Gas Inspector and Geologist shall be notified in advance of plugging any well in order that a representative of the city may witness the plugging of the well. (The Oil & Gas Inspector or Geologist may require that the two lowermost cement plugs be tested applying drill string weight on the cement plug after the cement has set to confirm that the plug has hardened and is in the correct location.)
- Permit application shall be accompanied by a permit fee in the amount of \$350.00.

APPLICANT'S CERTIFICATION

I Melanie Crawford, do hereby state that the information contained in this application is complete and accurate to the best of my knowledge.

Printed Name: Melanie Crawford

Signature: 

Date: July 26, 2013

FOR CITY USE ONLY

DISPOSITION

Date Received: _____

Action Taken _____

Signed: _____
Oil & Gas Inspector

Date: _____

TYPE OR USE BLACK INK
SEE REVERSE FOR INSTRUCTIONS

OKLAHOMA CORPORATION COMMISSION
Oil and Gas Conservation Division
Post Office Box 52000
Oklahoma City, Oklahoma 73152-2000

Form 1003/1003C
Rev. 2011

API NO. 125-22981
OTC PROD. UNIT NO. 125-91472
PLUGGING DATE 12/17/12

PLUGGING RECORD
OAC 165:10-11-7

Well Name/No. Fairgrounds #4
Location 1/4 NW 1/4 SE 1/4 NE 1/4 Sec 24 Twp 10N Rge 3E
1199 FIFSL of 1/4 Sec 1816 FIFSL of 1/4 Sec
Total Depth 4925' Base of Treatable Water 425
County Pottawatomie
Well Classification Inj

OPERATOR

Name Linn Operating, Inc.
Address 14000 Quail Springs Pkwy Ste. 5000
City Oklahoma City State OK
OTC/OCC No. 22182
Phone 405-241-2200
Zip 73134

PIPE RECORD

Size	Run (ft)	Pulled (ft)	
8 5/8	490	⊖	Conductor
			Surface
			I.C.
			I.C.
5 1/2	4925	1132	P.C.
			Lnr.

PERFORATION DEPTHS

Set 1 -	From 4647	To 4650
Set 2 -	From 4652	To 4657
Set 3 -	From 4659	To 4669
Set 4 -	From	To

Plug	Type of Plug	Hole Size or Pipe Size	Depth	No. Sacks Cement	Slurry Volume	Calculated TOC	Measured Top of Plug - If Tagged
1	CTBP/Cem	5 1/2	4535	2	2.36	4515	
2	Cem	7 7/8 - 8 5/8	575	90	106.2	275	360
3	Cem	8 5/8	60	20	23.6	3	Vis.
4							
5							

REMARKS

Reason for Plugging

CEMENTER CERTIFICATION

I certify that the cement plugs were placed in this well as shown on this report, per O.C.C. instructions. The cementing was performed by me or under my direct supervision. I certify all cementing data is true, correct and complete.

Signature *Kenneth W. Martin* Date 12/18/12 Name and Title Typed or Printed Kenneth W. Martin, President
Company Name Martin Tank Truck & Casing Pulling, Inc. Permit No. 304
Address P.O. Box 383 Phone 918-225-2388
City Cushing State OK Zip 74023

OPERATOR CERTIFICATION

I declare under applicable Corporation Commission rule, that I am authorized to make this certification, that I have knowledge of the well data and information presented herein, and that data and facts presented are true, correct, and complete to the best of my knowledge. This covers all well data and information presented herein.

Signature *Rena Carter* Date 1/7/13 Name and Title Typed or Printed Rena Carter Regulatory Spec

CORPORATION COMMISSION USE ONLY

By signing this form, the District Manager has approved the contents thereof as to form only. Said District Manager does not warrant the facts provided by the operator are true or that the operator has properly plugged the described well.

Signature of District Manager *Grant Ellis* Field Inspector *S. Winlock*

OIL & GAS / ADA DISTRICT

OKLAHOMA CORPORATION COMMISSION
Oil & Gas Conservation Division
Post Office Box 52000
Oklahoma City, Oklahoma 73152-2000
Rule 165: 10-3-25

Form 1003

PLUGGING RECORD

OAC 165:10-1-10

WELL INFORMATION

Plug Date: December 17, 2012

API No: 3512522981

Well #: 1

Well Name: FAIRGROUNDS

Operator: LINN OPERATING INC

Operator #: 22182

Section: 24 Township: 10N Range: 3E Meridian: Indian

1/4: CSW4 1/4: NE4 1/4: NE4 1/4:

Total Depth: 4925 Base of Treatable: Water: 425 Well Classification: OIL

CONTACT INFORMATION

Contact Name:

Telephone: 5806573921

Address 1: 600 TRAVIS ST STE 5100

Address 2:

City: HOUSTON

State: TX

Zipcode: 77002-3092

Country: US

Email Address:

Fax:

PIPE RECORDS

PERFORATION DEPTHS

String Name	Size	Run	Pulled
SURFACE	8.625	490	0
PRODUCTION	5.5	4925	1132

From Depth	To Depth
4647	4650
4652	4657
4659	4669

PLUGS

Plug Type	Hole Size	Depth	No. Sacks of Cement	Slurry Volume	Calculated TOC	Top of Plug
CIBP + CEM	5.5	4535	2	2	4515	0
CEM	7.875	575	90	106	275	360
CEM	8.625	60	20	24	3	3

Remarks:

Reason For Plugging:

CEMENTER CERTIFICATION INFORMATION

Name:

Title:

Company Name: MARTIN TANK TRUCK & CSG PLG

Permit No: 304

Address 1:

Address 2: P.O. Box 383

City: CUSHING

State: OK

Zipcode: 74023

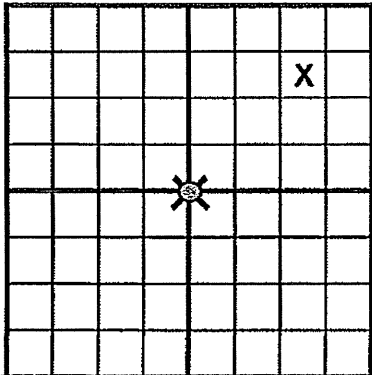
Phone: (918) 225-2388

I declare that I have knowledge of the contents of this report and am authorized by my organization to make this report, which was prepared by me or under my supervision and direction with the data and facts stated herein to be true, correct and complete to the best of my knowledge and belief.

Electronic Signature: LINN OPERATING INC

FIELD SUPERVISORS WELL REPORT
Oklahoma Corporation Commission
Oil & Gas Conservation Division

Form 1059
Rev 01/10



Location:	1/4 NW 1/4 SE 1/4 NE 1/4	Sec. 24	Twp 10N	Rge 3E
Well Name/No. FAIRGROUNDS 1			County POTT	
Operator LINN OPERATING INC			Oper No	22182
Address 14000 QUAIL SPRGS PKWY STE 5000 OKLA CITY OK 73134				
Contractor FREEPOINT PIPE & SUPPLY INC			Permit No. 693	
Address			Phone No.	
City EDMOND			State OK	Zip
Date Notice Rec'd			Date Oper. Commenced 12/14/2012	
API:	125 22981			
Lat:	35°	19'	43.1"	
Long:	96°	55'	57.3"	
Date Completed 12-17-12			oil gas dry inj disp	
TD 4925			Drillers TD	
Hole size				
Perforations 4647-50 -52-57-59-67				BTW 425

CASING RECORD

85/8 In. Set @ 490 Ft.	51/2 In. Set @ Ft.	In. Set @ Ft.
Were all rules and instructions observed? Y		Mud Wt. 9 Viscosity

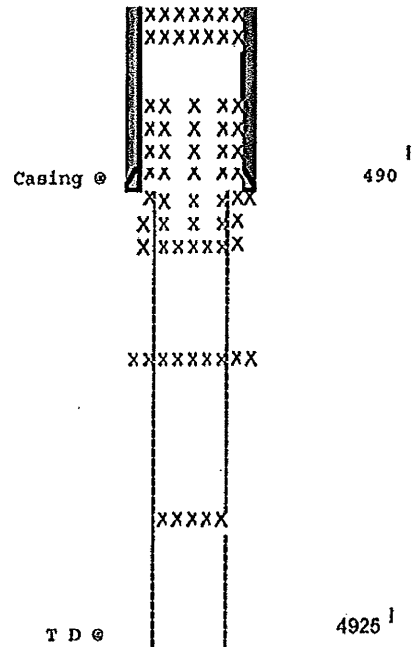
Record Chronologically Activities Observed and Reported During Operations

Complete Plug Record

IDENTIFY (X) AND DATE PLUGS WITNESSED

WELL BORE SCHEMATIC

		Depth	Cement	Date
CIBP	X	4535	2SK	12/14/2012
Stub				
Intermediate				
Freshwater	X	570-360	90SK	12-17-12
D.V.Tool				
Top	X	60-3	20SK	12-17-12



12-14-12 CIBP 4535 W/SKS

CIRCULATE W/MUD

12-17-12 PULLED 1032 FT CASING TUBING TO 570FT PUMP 90SK CEMENT

TAGGED AT 360FT TOP 60FT TO 3FT W/20SK CEMENT CUT OFF 3FT

BELOW GROUND CAP & ID

WITNESSED BY

RECEIVED
DEC 17 2012

OIL & GAS / ADA DISTRICT

T D E

SIMON WINLOCK

OCC REPRESENTATIVE

Instructions

- A. Please type or print using black ink.
 B. Form must be signed by former operator and new operator.
 C. Outline boundaries of lease and spot well being transferred.
 D. Attach 1002A for well.
 E. Direct questions to Well Records (405) 521-2275.

OKLAHOMA CORPORATION COMMISSION

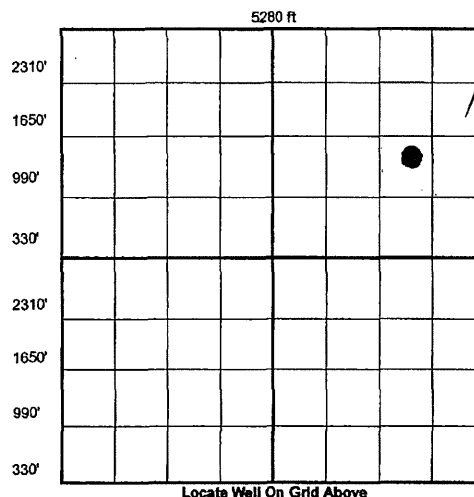
Oil & Gas Conservation Division
 Post Office Box 52000
 Oklahoma City, OK 73152-2000

Transfer of Operator
 OAC 165:10-1-15

002160664

Form 1073
 Rev. 2009

API No 35-125-22981		OTC Prod. Unit No. 125-91472	
Location NW 1/4 SE 1/4 NE 1/4 1/4		Sec. 24	Twp. 10N Rge. 3E
Ft FSL of Qtr Sec 1199	Ft FWL of Qtr Sec 1816	County POTTAWATOMIE	
Current Well Name/Number FAIRGROUNDS #1			
Original Well Name/Number			
Unit Name (if applicable) SHAWNEE TOWNSITE SKINNER UNIT			



Well Class: ☒ OIL ☐ GAS ☐ DRY

Producing formation(s) SKINNER

The effective date of transfer of this well, for the purposes of Commission records, is the date that the transfer is approved by the Commission.

CURRENT OPERATOR		OCC No. 18934
Name MERIT ENERGY COMPANY		
Address 13727 NOEL ROAD, SUITE 500		
City DALLAS	State TX	Zip 75240
Phone No. 972-701-8377	FAX No./E-mail	
I verify that I am the legal operator of record with authority to transfer operatorship of this well.		
Signature <i>Lynne Moon</i>		
Name & Title (Typed or Printed) LYNNE MOON - REGULATORY MANAGER		
Signed and sworn to before me this 30 day of January, 2010.		
Notary Public <i>Anneliese Biasetti</i>		
My commission expires: 11-06-2012		

NEW OPERATOR		OCC No. 22182
Name LINN OPERATING, INC.		
Address 14000 QUAIL SPRINGS PARKWAY, STE. 5000		
City OKLAHOMA CITY	State OK	Zip 73134-3092
Phone No. 405-241-2269	FAX No./E-mail	
I verify that I am the legal operator of record with authority to transfer operatorship of this well.		
Signature <i>Mark Owen</i>		
Name & Title (Typed or Printed) MARK OWEN - VICE PRESIDENT, OPERATIONS		
Signed and sworn to before me this 23 day of February, 2010.		
Notary Public <i>Mark Owen</i>		
My commission expires: 06-24-2013		

I verify under oath that I have exercised due diligence in attempting to locate the current operator of record according to OCC records, who has abandoned the above well/lease and cannot be located to obtain signature.

I have attached a copy of the certified recorded assignment of lease.

* APPROVED COPY AVAILABLE ON OCC WEBSITE. *

Signature

Signed and sworn to before me this _____ day of _____, _____.

Notary Public

My commission expires: _____

FOR OCC USE ONLY

FEB 23 2010

Surety Dept. ☒ Approved ☐ Rejected Date

Well Records Dept. ☒ Approved ☐ Rejected Date

WELL RECORDS

NOTE: By processing this Form 1073, the Oklahoma Corporation Commission has approved the contents thereof as to form only. Oklahoma Corporation Commission does not warrant that the facts provided by the operator are true. Form is not approved until approved by Well Records.

MAR 05 2010

APPROVED

PCN: C1271580L3
RUN DATE/TIME: 05/21/2008 16:52:58

OKLAHOMA CORPORATION COMMISSION
OIL AND GAS WELL RECORDS DEPARTMENT

PAGE: 11
AS OF DATE: 05/21/2008

TRANSFER OF OWNERSHIP UPDATE WELL INFORMATION

BATCH ID: 80508
SEQUENCE NUMBER: 0111

NEW OPERATOR NUMBER: 189340
NAME: MERIT ENERGY COMPANY
ADDRESS: 13727 NOEL RD STE 500

DALLAS TX 75240
TELEPHONE NUMBER: 9726281606
EFFECTIVE DATE: 05/21/08

OLD OPERATOR NUMBER: 216490
NAME: CORDILLERA ENERGY PARTNERS II
ADDRESS: 8450 E CRESCENT PKWY STE 400

GREENWOOD VILLA CO 80111
TELEPHONE NUMBER: 3032900990

***** API NUMBER: 125-22981 *****

OTC PROD UNIT: 125 00 91472 WELL CLASSIFICATION: OIL
LEGAL DESCRIPTION: 24 10N 03E NW4 SE4 NE4
COUNTY NAME: POTTAWATOMIE
WELL LEASE NAME: FAIRGROUNDS
WELL NUMBER: 1
PRODUCTION FORMATION(S) AND CLASSIFICATION:

MAY 21 2008
WELL RECORDS
APPROVED

PCN: C1271580L3
RUN DATE/TIME: 06/14/2006 14:48:05

OKLAHOMA CORPORATION COMMISSION
OIL AND GAS WELL RECORDS DEPARTMENT

PAGE: 23
AS OF DATE: 06/14/2006

TRANSFER OF OWNERSHIP UPDATE WELL INFORMATION

BATCH ID: 60606
SEQUENCE NUMBER: 0023

NEW OPERATOR NUMBER: 216490
NAME: CORDILLERA ENERGY PARTNERS II
ADDRESS: 8450 E CRESCENT PKWY STE 400

OLD OPERATOR NUMBER: 125450
NAME: VINTAGE PETROLEUM INC
ADDRESS: 110 W 7TH ST

GREENWOOD VILLA CO 80111
TELEPHONE NUMBER: 3032900990
EFFECTIVE DATE: 06/09/06

TULSA OK 74119
TELEPHONE NUMBER: 9185920101

***** API NUMBER: 125-22981 *****

OTC PROD UNIT: 125 00 91472 WELL CLASSIFICATION: OIL
LEGAL DESCRIPTION: 24 10N 03E NW4 SE4 NE4
COUNTY NAME: POTTAWATOMIE
WELL LEASE NAME: FAIRGROUNDS
WELL NUMBER: 1
PRODUCTION FORMATION(S) AND CLASSIFICATION:

JUN 09 2006

WDMS

OKLAHOMA CORPORATION
COMMISSION

OKLAHOMA CORPORATION COMMISSION
OIL AND GAS CONSERVATION DIVISION
Jim Thorpe Office Building
Oklahoma City, Oklahoma 73105-4993
OAC 165:10-1-15

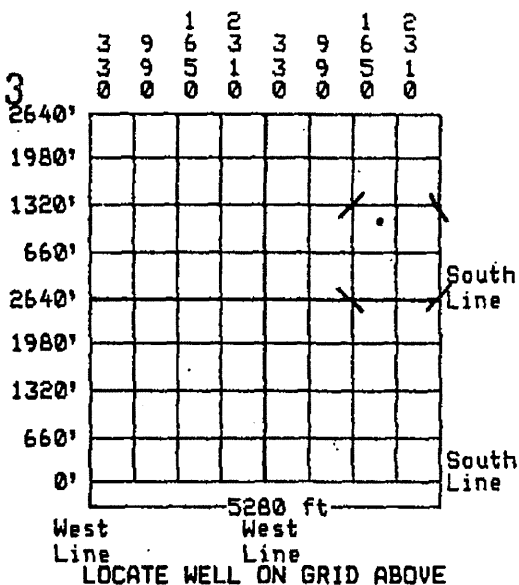
FORM 1073
(Rev 1992)

30405613

INSTRUCTIONS

- A. PLEASE TYPE OR USE BLACK INK.
B. FORM MUST BE SIGNED BY FORMER AND NEW OPERATOR.
C. OUTLINE BOUNDARIES OF LEASE AND SPOT WELL BEING TRANSFERRED.
D. ATTACH 1002A FOR WELL.

002843



API No. 125-22981			
DTC Prod. Unit No. 125-91472			
Location: NW 1/4 SE 1/4 NE 1/4 1/4			
Sec. 24	Twp. 10N	Rge. 3E	
County Pottawatomie			
Ft. FSL 1199		Ft. FWL 1816	
Current Well Name & No. Fairgrounds #1			
Original Well Name & No. Fairgrounds #1			

Unit Name (if applicable) Shawnee Townsite (Skinner) Unit	
Well Class.: ☒ Oil ☐ Gas ☐ Dry/Plugged	Transfer Effective Date Mo/Da/Yr: 3-1-93
Producing Formation(s): Skinner	
Oil Transporter/Purchaser Sun Refining & Marketing	OTC No. 15234
Gas Measurer Bethel Gas Co.	OTC No. 08904



FORMER OPERATOR

Name Estoril Producing Corp.	
DTC No. 06932	
Address 400 W. Illinois, Suite 1600	
City Midland	State TX
Zip 79701	(AC) Phone 405-273-6177
Being the current operator, I certify that the facts presented are true and correct as to the well being transferred.	
 Signature Name and Title (Print or Type) RICHARD A. KARFONTA DETR. ENGR.	

NEW OPERATOR

Name Vintage Petroleum, Inc.	
DTC No. 12545	
Address 4200 One Williams Center	
City Tulsa.	State OK
Zip 74172	(AC) Phone 918-592-0101
Being the new operator, as of the effective date and time of transfer accept the facts presented as being true and correct and accept the operational responsibility for the well on the described property.	
 Signature Name and Title (Print or Type) Leann Ogee Supv., Regulatory Affairs	

24
SEC. TWP. RGE. 3E

FOR O.C.C. USE ONLY

	Approved Date	Rejected Date	Reason
Surety Dept.	APR 07 1993		
Production Dept.			
Well Records Dept.	APR 16 1993		

10A. OTC/OCC Oper No.
08932
1. API Number
125-22981
2. OTC Prod. Unit No.
125-91472

1354

This form is an Original ☒ Amended ☐

To be filed within 30 days after drilling is completed

OKLAHOMA CORPORATION COMMISSION

OIL AND GAS CONSERVATION DIVISION

Jim Thorpe Building / Oklahoma City, Oklahoma 73105-4993

PLEASE TYPE OR USE BLACK INK ONLY

3. County Pottawatomie Sect. 24 Twp. 10N Range 3E

4. Lease Name Fairgrounds 5. Well No. 1

7. Well Located NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

8. 1199 Ft. From S.L. of $\frac{1}{4}$ Sect. and 1816 Ft. From W.L. of $\frac{1}{4}$ Sect. w

9. Elevation: Derrick Floor 1077.3 Ground 1067.3

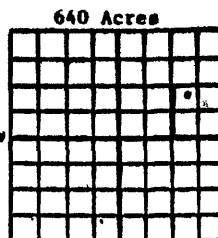
10. COMPANY OPERATING Estoril Producing Corporation

Address 400 W. Illinois, #1600

City Midland State TX Zip 79701

Drilling Started 2-11, 1988 Drilling Finished 2-28, 1988

12. Well Completed 3-25-88, 19 Date-First Prod. 3-15, 1988

6. Locate Well
And Outline Lease

13. TYPE COMPLETION

Single Zone X

Multiple Zone _____ Order No. _____

Commingled _____ Order No. _____

LOCATION EXCEPTION X Order No. 325051

INCREASED DENSITY _____ Order No. _____

14. Penalty _____

PERFS @ 809 FSL & 1591 FWL OF NE

15. OIL OR GAS ZONES

Name	From	To	Name	From	To
L. Skinner Sand	4628'	4670'			

16. CASING & CEMENT

Surf. & Prod. Casing Set					Csg Test		Cement	
Type	Size	Weight	Grade	Feet	PSI	Sax	Fillup	Top
Conductor								
Surface	8 5/8"	32#	J-55	490'	800#	300	Circulated	
Intermediate								
Production	5 1/2"	17 & 15	5# J-55	4925'	2000#	100	808	4092
Liner								

18. PACKERS SET

Depth _____ Type _____

17. TOTAL DEPTH 4925'

(Over)

Why? _____

19. COMPLETION & TEST DATA BY PRODUCING FORMATION

FORMATION	1	2	3
SPACING & SPACING ORDER NUMBER	Skinner 40 AC. 259410		
CLASSIFICATION (Oil, Gas, Dry, Inf. Well)	Oil		
PERFORATED INTERVALS	4647'-4650'		
	4652'-4657'		
	4659'-4669'		
	1 foot		
ACID/VOLUME	No		
FRACTURE TREATED?	No		
Fluids Amounts	-		
INITIAL TEST DATA:			
Date	5-02-88		
Oil-bbl/day	88		
Oil-Gravity ($^{\circ}$ API)	37.6		
Gas-MCF/day	130		
Gas-Oil Ratio Cu. Ft/bbl	1477 - 1		
Water-bbl/day	0		
Pumping or Flowing	Pumping		
Initial Shut-In Pressure	160#		
CHOKE SIZE	-		
FLOW TUBING PRESSURE	-		

A record of the formations drilled through, and pertinent remarks are presented on the reverse.

I declare that I have knowledge of the contents of this report and am authorized by my organization to make this report, which was prepared by me or under my supervision and direction, with the data and facts stated herein to be true, correct and complete to the best of my knowledge and belief.

Stanley Moody _____ Engineer
Signature Title

P.O. Box 3488 _____ Shawnee OK 74802
Address City State Zip

5-3-88 _____ 405-273-6177
Date Phone

Give formation names and tops, if available, or descriptions and thickness of formations drilled through. Show intervals cored or drillstem tested.

27. Were unusual drilling circumstances encountered? Yes _____ No X If yes, briefly explain: _____

Drill. Hole Loc. - SW NE NE Sec. 24-T10N-R3E 1628 39' ESI & 1573 63' NW of NE/4

DIRECTIONAL DRILLING & CONSULTING SERVICE, INC.
P.O. BOX 80616
LAFAYETTE, LA. 70598

Page 1

ESTORIL PRODUCTION CORPORATION
FAIRGROUNDS WELL NO.1
SECTION 24,T-10-N,R-3-E
POTT COUNTY, OKLAHOMA

TRUE CORRECTION= 7°00' EAST
Plane of vertical section: N 20 19 W

Acadian Petroleum Computer
Houston Directional Software Company - Survey Version 1.52

COMPLETIONS :ESTORIL/FAIR

FAIRGROUNDS WELL NO.1
SECTION 24,T-10-N,R-3-E
POTT COUNTY, OKLAHOMA

RADIUS OF CURVATURE CALCULATIONS

Wednesday, March 2, 1988 Page 2

MEASURED DEPTH Feet	B O R E - H O L E		COURSE LENGTH Feet	VERTICAL DEPTH Feet	R E C T A N G U L A R C O O R D I N A T E S		VERTICAL SECTION Feet	C L O S U R E S DISTANCE Feet	DIRECTION Deg Min	DOGLEG SEVERITY Deg/100ft.
	INCLINATION Deg Min	DIRECTION Deg Min			Feet	Feet				
0.00	0 0	0 0	0.00	0.00	0.00 N	0.00 E	0.00	0.00	0 0	
230.00	0 45	N 1 0 W	230.00	229.99	1.51 N	0.03 W	1.42	1.51	N 1 0 W	0.33
466.00	0 30	N 85 0 W	236.00	465.98	3.22 N	1.63 W	3.59	3.61	N 26 48 W	0.36
672.00	0 15	N 2 0 W	206.00	671.97	4.12 N	2.48 W	4.72	4.81	N 31 2 W	0.26
889.00	0 45	N 38 0 E	217.00	888.97	5.88 N	1.90 W	6.18	6.18	N 17 56 W	0.27
1103.00	0 45	S 71 0 E	214.00	1102.95	6.63 N	0.61 E	6.00	6.66	N 5 17 E	0.41
1258.00	1 0	S 52 0 E	155.00	1257.93	5.50 N	2.68 E	4.23	6.12	N 25 59 E	0.25
1478.00	0 30	N 76 0 E	220.00	1477.91	4.93 N	5.40 E	2.74	7.31	N 47 39 E	0.36
1630.00	0 45	S 76 0 E	152.00	1629.90	4.93 N	7.05 E	2.17	8.60	N 55 3 E	0.26
1817.00	1 0	S 43 0 E	187.00	1816.88	3.50 N	9.47 E	-0.01	10.10	N 69 44 E	0.30
1942.00	1 0	S 45 0 E	125.00	1941.86	1.93 N	10.99 E	-2.01	11.16	N 80 3 E	0.03
1987.00	0 15	N 47 0 W	45.00	1986.86	1.70 N	10.77 E	-2.14	10.90	N 81 2 E	2.78
2019.00	2 0	N 64 0 W	32.00	2018.85	2.05 N	10.25 E	-1.63	10.46	N 78 40 E	5.51
2049.00	3 15	N 47 0 W	30.00	2048.82	2.83 N	9.12 E	-0.51	9.55	N 72 46 E	4.87
2081.00	5 0	N 48 0 W	32.00	2080.73	4.39 N	7.43 E	1.53	8.63	N 59 27 E	5.47
2113.00	6 30	N 53 0 W	32.00	2112.57	6.42 N	4.95 E	4.30	8.11	N 37 39 E	4.94
2144.00	8 15	N 52 0 W	31.00	2143.31	8.85 N	1.80 E	7.67	9.03	N 11 29 E	5.66
2251.00	11 0	N 60 0 W	107.00	2248.80	18.84 N	13.02 W	22.19	22.90	N 34 39 W	2.85
2374.00	11 15	N 59 0 W	123.00	2369.49	30.89 N	33.47 W	40.59	45.54	N 47 18 W	0.26
2497.00	11 45	N 59 0 W	123.00	2490.02	43.52 N	54.49 W	59.73	69.73	N 51 23 W	0.41
2620.00	11 45	N 59 0 W	123.00	2610.44	56.42 N	75.96 W	79.28	94.62	N 53 24 W	0.00
2776.00	12 45	N 58 0 W	156.00	2762.88	73.71 N	104.18 W	105.30	127.62	N 54 43 W	0.66
2796.00	12 45	N 57 0 W	20.00	2782.39	76.08 N	107.90 W	108.81	132.03	N 54 49 W	1.10
2827.00	12 30	N 49 0 W	31.00	2812.64	80.16 N	113.31 W	114.51	138.80	N 54 43 W	5.69
2859.00	12 30	N 43 0 W	32.00	2843.88	84.97 N	118.29 W	120.75	145.64	N 54 19 W	4.06

FAIRGROUNDS WELL NO.1
SECTION 24,T-10-N,R-3-E
POTT COUNTY, OKLAHOMA

RADIUS OF CURVATURE CALCULATIONS

Wednesday, March 2, 1988 Page 3

MEASURED DEPTH Feet	B O R E - H O L E INCLINATION Deg Min	D I R E C T I O N Deg Min	C O U R S E LENGTH Feet	V E R T I C A L DEPTH Feet	R E C T A N G U L A R C O O R D I N A T E S Feet	V E R T I C A L SECTION Feet	C L O S U R E S DISTANCE Feet	D I R E C T I O N Deg Min	D O G L E G SEVERITY Deg/100ft.
2959.00	12 30	N 36 0 W	100.00	2941.51	101.66 N 132.05 W	141.18	166.65	N 52 25 W	1.51
3084.00	13 0	N 35 0 W	125.00	3063.43	124.12 N 148.07 W	167.80	193.21	N 50 2 W	0.44
3208.00	12 30	N 33 0 W	124.00	3184.37	146.80 N 163.37 W	194.39	219.64	N 48 3 W	0.54
3362.00	11 30	N 32 0 W	154.00	3335.01	173.81 N 180.57 W	225.69	250.63	N 46 6 W	0.66
3424.00	10 45	N 31 0 W	62.00	3395.84	184.00 N 186.82 W	237.42	262.22	N 45 26 W	1.25
3509.00	10 30	N 31 0 W	85.00	3479.38	197.44 N 194.90 W	252.83	277.43	N 44 38 W	0.29
3602.00	11 0	N 31 0 W	93.00	3570.75	212.31 N 203.83 W	269.87	294.31	N 43 50 W	0.54
3635.00	10 45	N 29 0 W	33.00	3603.16	217.70 N 206.94 W	276.01	300.36	N 43 33 W	1.37
3666.00	10 15	N 19 0 W	31.00	3633.64	222.85 N 209.24 W	281.64	305.69	N 43 12 W	6.09
3698.00	10 15	N 8 0 W	32.00	3665.13	228.38 N 210.57 W	287.28	310.64	N 42 41 W	6.11
3797.00	10 45	N 2 0 E	99.00	3762.47	246.38 N 211.51 W	304.49	324.71	N 40 39 W	1.91
3923.00	10 0	N 2 0 E	126.00	3886.41	269.05 N 210.72 W	325.48	341.75	N 38 4 W	0.60
4080.00	10 30	N 3 0 W	157.00	4040.90	296.98 N 210.96 W	351.75	364.28	N 35 23 W	0.65
4234.00	10 0	N 6 0 W	154.00	4192.44	324.30 N 213.11 W	378.11	388.05	N 33 19 W	0.47
4387.00	9 15	N 9 0 W	153.00	4343.29	349.66 N 216.45 W	403.06	411.23	N 31 46 W	0.59
4541.00	9 0	N 12 0 W	154.00	4495.34	373.67 N 220.90 W	427.12	434.08	N 30 35 W	0.35
4603.00	9 0	N 14 0 W	62.00	4556.58	383.12 N 223.08 W	436.74	443.33	N 30 13 W	0.50
4760.00	8 45	N 16 0 W	157.00	4711.70	406.51 N 229.35 W	460.85	466.75	N 29 26 W	0.25
4925.00	8 0	N 18 0 W	165.00	4874.94	429.49 N 236.37 W	484.84	490.24	N 28 50 W	0.49

Final Station Closure - Distance: 490.24 Feet
- Direction: N 28 50 W

FAIRGROUNDS WELL NO.1
SECTION 24,T-10-N,R-3-E
POTT COUNTY, OKLAHOMA

Interpolated Data for every 100.00 feet of True Vertical Depth

Wednesday, March 2, 1988 Page 1

MEASURED DEPTH Feet	VERTICAL DEPTH Feet	RECTANGULAR COORDINATES Feet		VERTICAL SECTION Feet	CLOSURE DISTANCE Feet		DIRECTION Deg Min
Initial Station: 0.00	0.00	0.00	0.00	-0.00	0.00	0	0
0.00	0.00	0.00	0.00	-0.00	0.00	0	0
100.00	100.00	0.65 N	0.01 W	0.62	0.65	N 0 59 W	
200.01	200.00	1.31 N	0.02 W	1.24	1.31	N 0 59 W	
300.01	300.00	2.01 N	0.50 W	2.06	2.08	N 13 59 W	
400.02	400.00	2.74 N	1.18 W	2.98	2.99	N 23 17 W	
500.02	500.00	3.37 N	1.77 W	3.78	3.81	N 27 41 W	
600.02	600.00	3.81 N	2.18 W	4.33	4.39	N 29 49 W	
700.03	700.00	4.35 N	2.40 W	4.91	4.97	N 28 57 W	
800.03	800.00	5.16 N	2.14 W	5.58	5.59	N 22 32 W	
900.03	900.00	5.92 N	1.78 W	6.17	6.18	N 16 41 W	
1000.04	1000.00	6.27 N	0.60 W	6.09	6.30	N 5 27 W	
1100.05	1100.00	6.62 N	0.58 E	6.01	6.64	N 5 0 E	
1200.06	1200.00	5.92 N	1.91 E	4.89	6.22	N 17 52 E	
1300.07	1300.00	5.39 N	3.20 E	3.95	6.27	N 30 42 E	
1400.08	1400.00	5.13 N	4.44 E	3.27	6.79	N 40 52 E	
1500.09	1500.00	4.93 N	5.64 E	2.66	7.49	N 48 53 E	
1600.10	1600.00	4.93 N	6.72 E	2.29	8.33	N 53 46 E	
1700.11	1700.00	4.39 N	7.96 E	1.35	9.09	N 61 7 E	
1800.12	1800.00	3.63 N	9.25 E	0.19	9.94	N 68 36 E	
1900.13	1900.00	2.45 N	10.48 E	-1.34	10.76	N 76 50 E	
2000.15	2000.00	1.85 N	10.56 E	-1.93	10.72	N 80 5 E	
2100.37	2100.00	5.62 N	5.93 E	3.21	8.17	N 46 33 E	

FAIRGROUNDS WELL NO.1
SECTION 24,T-10-N,R-3-E
POTT COUNTY, OKLAHOMA

Interpolated Data for every 100.00 feet of True Vertical Depth

Wednesday, March 2, 1988 Page 2

MEASURED DEPTH Feet	VERTICAL DEPTH Feet	RECTANGULAR COORDINATES Feet		VERTICAL SECTION Feet	CLOSURES DISTANCE Feet		DIRECTION Deg Min
2201.50	2200.00	14.22 N	6.17 W	15.47	15.50	N 23	27 W
2303.18	2300.00	23.95 N	21.70 W	29.99	32.32	N 42	10 W
2405.14	2400.00	34.08 N	38.79 W	45.43	51.64	N 48	42 W
2507.20	2500.00	44.59 N	56.27 W	61.35	71.79	N 51	36 W
2609.34	2600.00	55.30 N	74.10 W	77.59	92.46	N 53	16 W
2711.65	2700.00	66.58 N	92.54 W	94.57	114.00	N 54	16 W
2814.04	2800.00	78.45 N	111.05 W	112.13	135.97	N 54	46 W
2916.48	2900.00	94.56 N	126.20 W	132.49	157.69	N 53	9 W
3018.97	3000.00	112.43 N	139.73 W	153.95	179.35	N 51	11 W
3121.49	3100.00	130.98 N	152.70 W	175.84	201.17	N 49	23 W
3223.98	3200.00	149.60 N	165.16 W	197.64	222.84	N 47	50 W
3326.21	3300.00	167.53 N	176.58 W	218.42	243.40	N 46	30 W
3428.23	3400.00	184.67 N	187.23 W	238.19	262.98	N 45	24 W
3529.99	3500.00	200.79 N	196.91 W	256.67	281.23	N 44	26 W
3631.79	3600.00	217.17 N	206.64 W	275.41	299.77	N 43	35 W
3733.47	3700.00	234.83 N	210.90 W	293.45	315.63	N 41	56 W
3835.16	3800.00	253.24 N	211.27 W	310.84	329.80	N 39	50 W
3936.81	3900.00	271.51 N	210.74 W	327.79	343.70	N 37	49 W
4038.43	4000.00	289.59 N	210.90 W	344.80	358.24	N 36	4 W
4140.06	4100.00	307.63 N	211.80 W	362.03	373.49	N 34	33 W
4241.66	4200.00	325.57 N	213.28 W	379.36	389.21	N 33	14 W
4343.09	4300.00	342.38 N	215.49 W	395.90	404.55	N 32	11 W
4444.44	4400.00	358.61 N	218.11 W	412.03	419.73	N 31	18 W
4545.72	4500.00	374.39 N	221.06 W	427.85	434.78	N 30	34 W
4646.95	4600.00	389.67 N	224.83 W	443.49	449.88	N 29	59 W

FAIRGROUNDS WELL NO.1
SECTION 24,T-10-N,R-3-E
POTT COUNTY, OKLAHOMA

Interpolated Data for every 100.00 feet of True Vertical Depth

Wednesday, March 2, 1988 Page 3

MEASURED DEPTH Feet	VERTICAL DEPTH Feet	RECTANGULAR COORDINATES Feet		VERTICAL SECTION Feet	CLOSURES DISTANCE Feet		DIRECTION Deg Min
4748.16	4700.00	404.75 N	228.88 W	459.03	464.98	N 29 29 W	
4849.26	4800.00	418.94 N	233.15 W	473.83	479.45	N 29 6 W	

1199
418
7

ESTORIL PRODUCTION CORPORATION
FAIRGROUNDS WELL NO. 1
SECTION 24, T-10-N, R-3-E
POTT COUNTY, OKLAHOMA

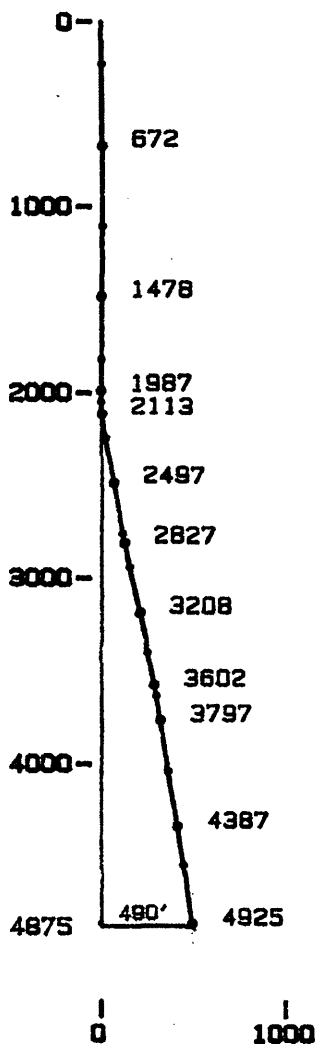
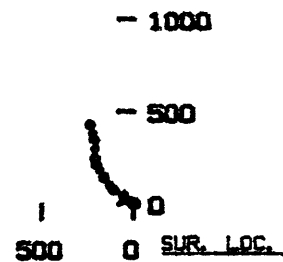


HORIZONTAL PLAN
 Scale 1" = 1000'

PLANE OF PROJECTION
 N 28° 50' W

VERTICAL SECTION
 Scale 1" = 1000'

FINAL B.H.L.
 490.24' N-28°50'-W
 N-429.49' W-235.37'
 TVD-4875' MD-4925'



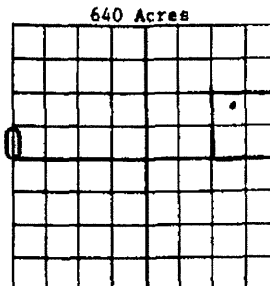
DIRECTIONAL DRILLING & CONSULTING
SERVICE, INC.

CEMENTING REPORT
TO ACCOMPANY COMPLETION REPORT

OKLAHOMA CORPORATION COMMISSION
Oil & Gas Conservation Division
Jim Thorpe Bldg / Oklahoma City, Ok 73105-4993
(Rule 3-206)

API No. 125-22981

OTC/OCC Oper. No. 06932



Locate Well and Outline
Lease

002150

All operators must include this form when submitting the Completion Report, (Form No. 1002A). The signatures on this statement must be that of qualified employees of the cementing company and operator to demonstrate compliance with Rule 3-206. It may be advisable to take a copy of this form to location when cementing work is performed.

*1. Field Name Shawnee Townsite				*2. D.C.C. District IV	
*3. Operator ESTORIL PROD				*4. County Pott	
*5. Lease Name FAIRGROUND #1				*6. Well Number #1	
*7. Location NW ¼ SE ¼ NE ¼		Section 24	Township 10N	Range 3E	
CEMENT CASING DATA:		CONDUCTOR CASING	SURFACE CASING	INTERMEDIATE CASING	PRODUCTION STRING
8. Cementing Date					2-28-88
*9. (a) Size of Drill Bit (inches)					12 1/4
(b) Estimated % wash or hole enlargement used in calculations.					
*10. Size of Casing (inches O.D.)					5 1/2
*11. Top of Liner (if liner used) (ft.)					—
*12. Setting Depth of Casing (ft.) from ground level					4923
13. Type of Cement (API Class)					
(a) in first (lead) or only Slurry.					OVER H
(b) In second Slurry					—
(c) In third Slurry					—
14. Sacks of cement used:					
(a) In first (lead) or only Slurry					100
(b) In second Slurry					—
(c) In third Slurry					—
15. Vol of Slurry pumped: (Cu ft)(14.X 15.)					
(a) In first (lead) or only Slurry					154
(b) In second Slurry					—
(c) In third Slurry					—
16. Calculated Annular Height of Cement behind Pipe (ft)					
17. Cement left in pipe (ft)					20'
*18. Amount of Surface Casing Required (from Form 1000) <u>475</u> ft.					
*19. Was cement circulated to Ground Surface? Yes ☒ No ☐ *20. Was Cement Staging Tool (DV Tool) Used? Yes ☐ No ☒					
*21. Was Cement Bond Log run? (If so, ATTACH COPY). *22. If answer to 20. is yes, at what depth? _____ ft.					

(CEMENTING COMPANY AND OPERATOR MUST COMPLY WITH THE INSTRUCTIONS ON REVERSE SIDE HEREOF.)

-OVER-

*Designates items to be completed by Operator. Items not so designated shall be completed by the Cementing Co.

26. Remarks: 100 SKS CLASS H + 10% THIXAD + 10% SALT + .6% CF-14 + 2 #/SK H. SEAL + 2% CoCl₂	*27. Remarks: 002150
CEMENTING COMPANY I declare under applicable Corporation Commission rule, that I am authorized to make this certification, that the cementing of casing in this well as shown in the report was performed by me or under my supervision, and that the cementing data and facts presented on both sides of this form are true, correct and complete to the best of my knowledge. This certification covers cementing data only. <u>Chris Berns</u> Signature of Cementer or Authorized Representative <u>Chris Berns (Cementor)</u> Name of person and Title (Type or Print) <u>Western Co</u> Cementing Company <u>850 570</u> *Street Address or P. O. Box <u>Yukon</u> <u>OK</u> <u>73085</u> City State Zip Telephone <u>405</u> <u>354 8861</u> Area Code <u>2-28-88</u> Date	*OPERATOR I declare under applicable Corporation Commission rule, that I am authorized to make this certification, that I have knowledge of the well data and information presented in this report, and that data and facts presented on both sides of this form are true, correct and complete to the best of my knowledge. This certification covers all well data and information presented herein. <u>GEO. H. FISHER</u> *Signature of Operator or Authorized Repres. <u>GEO. H. FISHER DRILL SUPT</u> *Name of Person and Title (Type or Print) <u>ESTORIL PRODUCING CORP</u> *Operator <u>PO Box 3488</u> *Street Address or P. O. Box <u>SHAWNEE</u> <u>OK</u> <u>74801</u> *City State Zip Telephone <u>405</u> <u>273-6177</u> Area Code Date

INSTRUCTIONS

1. a) This form shall be filed by the operator, at the O.C.C. office in Oklahoma City, as an attachment to the Completion Report for a producing well or a dry hole.
b) An original and one copy of this form shall be filed as an attachment to the Completion Report, (form 1002-A) for each cementing company used on a well.
c) The cementing of different casing strings on a well by one cementing company may be consolidated on one form (to be filed in duplicate).
2. Cementing Company and Operator shall comply with the applicable portions of O.C.C. Rule 3-206.
3. Set surface casing 50 feet below depth of treatable water to be protected and cement from casing shoe to ground surface or as allowed by Rule 3-206.
4. IF SETTING ANYTHING OTHER THAN THE FULL AMOUNT OF SURFACE CASING, BE SURE TO FOLLOW THE CORPORATION COMMISSION REGULATIONS.

Form No. 1002-C
1985

CEMENTING REPORT
TO ACCOMPANY COMPLETION REPORT

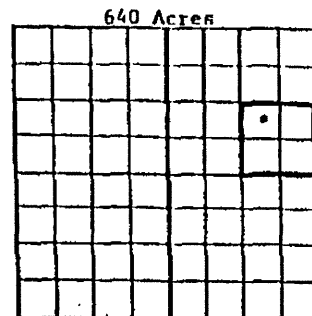
OKLAHOMA CORPORATION COMMISSION
Oil & Gas Conservation Division

Jim Thorpe Bldg / Oklahoma City, Ok 73105-4993
(Rule 3-206)

002150

API No. 125-22981

OTC/OCC Oper. No. 06932



Locate Well and Outline
Lease

All operators must include this form when submitting the Completion Report, (Form No. 1002-A). The signatures on this statement must be that of qualified employees of the cementing company and operator to demonstrate compliance with Rule 3-206. It may be advisable to take a copy of this form to location when cementing work is performed.

*1. Field Name Shawnee Townsite				*2. O.C.C. District IV			
*3. Operator Estoril Producing Corporation				*4. County Pottawatomie			
*5. Lease Name FAIR GROUND				*6. Well Number #1			
*7. Location NW 1/4 SE 1/4 NE 1/4		Section 24		Township 10N		Range 3E	
CEMENT CASING DATA:		SURFACE CASING		INTER-MEDIATE CASING		PRODUCTION CASING	
						MULTI-STAGE CEMENTING PROCESS	
8. Cementing Date		2-12-88					
9. (a) Size of Drill Bit (inches)		12 1/4					
(b) Estimated % wash or hole enlargement used in calculations.							
10. Size of Casing (inches O.D.)		8 5/8					
11. Top of Liner (if liner used) (ft.)							
12. Setting Depth of Casing (ft.) - from ground level		491					
13. Type API Class Cement & amount of Additives used: (a) In first (lead) or only Slurry. (If additional space is needed, use "Remarks" on reverse side)		CLASS H 3% CASH 1/4# D29					
(b) In second Slurry		-					
(c) In third Slurry		-					
14. Sacks of cement used:							
(a) In first (lead) or only Slurry		300					
(b) In second Slurry		-					
(c) In third Slurry		-					
15. Slurry Vol/Sacks of Cement (Cu ft/sack):							
(a) In first (lead) or only Slurry		1.05					
(b) In second Slurry		-					
(c) In third Slurry		-					
16. Vol of slurry pumped: (Cu ft)(14.X15.)							
(a) In first (lead) or only Slurry							
(b) In second Slurry							
(c) In third Slurry							
(d) Total Slurry volume pumped (Cu ft)							
17. Calculated Annular Height of Cement Slurry behind Pipe (ft)		SURFACE					
18. Was cement circulated to ground surface (or bottom of collar) outside casing? Yes or No		Yes					

(CEMENTING COMPANY AND OPERATOR MUST COMPLY WITH THE INSTRUCTIONS ON REVERSE SIDE HEREOF).

26. Remarks: <u>CEMENTING COMPANY</u> I declare under applicable Corporation Commission rule, that I am authorized to make this certification, that the cementing of casing in this well as shown in the report was performed by me or under my supervision, and that the cementing data and facts presented on both sides of this form are true, correct and complete to the best of my knowledge. This certification covers cementing data only. <u>Rodney Rodriguez</u> Signature of Cementer or Authorized Representative <u>Rodney RODRIGUEZ SS II</u> Name of person and title (Type or Print) <u>DOWELL SCHLUMBERGER, INC.</u> Cementing Company <u>P. O. BOX 1340</u> Street Address or P. O. Box <u>SEMINOLE,</u> <u>OKLAHOMA</u> <u>74868</u> City State Zip Telephone <u>405</u> <u>382-1780</u> Area Code <u>2/12/88</u> Date	27. Remarks: 002150 <u>*OPERATOR</u> I declare under applicable Corporation Commission rule, that I am authorized to make this certification, that I have knowledge of the well data and information presented in this report, and that data and facts presented on both sides of this form are true, correct and complete to the best of my knowledge. This certification covers all well data and information presented herein. <u>GEO. H. FISHER</u> Signature of Operator or Authorized Repres. <u>GEO. H. FISHER DAG SUPT.</u> Name of person and title (Type or Print) <u>ESTORCH PRODUCING CORP.</u> Operator <u>P.O. BOX 3488</u> Street Address or P. O. Box <u>SHAWNEE</u> <u>OK.</u> <u>74802</u> City State Zip Telephone <u>405</u> <u>273-6177</u> Area Code <u>2/12/88</u> Date
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INSTRUCTIONS

1. a) This form shall be filed by the operator, at the O.C.C. office in Oklahoma City, as an attachment to the Completion Report for a producing well or a dry hole.
- b) An original and one copy of this form shall be filed as an attachment to the Completion Report, (form 1002-A) for each cementing company used on a well.
- c) The cementing of different casing strings on a well by one cementing company may be consolidated on one form (to be filed in duplicate).

2. Cementing Company and Operator shall comply with the applicable portions of O.C.C. Rule 3-206.

3. Set surface casing 50 feet below depth of treatable water to be protected and cement from casing shoe to ground surface or as allowed by Rule 3-206.

4. IF SETTING ANYTHING OTHER THAN THE FULL AMOUNT OF SURFACE CASING, BE SURE TO FOLLOW THE CORPORATION COMMISSION REGULATIONS.

APPLICATION TO DRILL, RECOMPLETE OR REENTER
(See Instructions on Back)

Form 1000
(Rev. 1987)

FILE ORIGINAL ONLY
PLEASE TYPE OR USE BLACK INK ONLY

1. OTC/OCC Operator Number
06932

2. API Number
125-22981

3. Locate Well and Outline
Lease or Spacing Unit

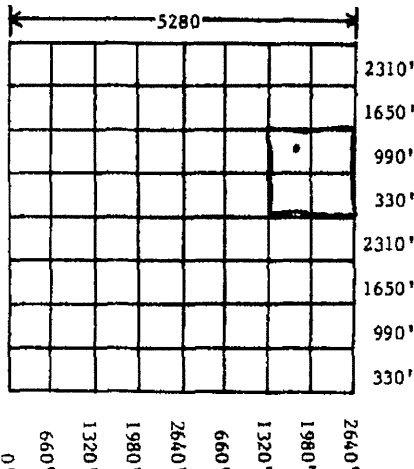
OKLAHOMA CORPORATION COMMISSION
Oil & Gas Conservation Division
Jim Thorpe Building
Oklahoma City, Oklahoma 73105-4993
(Rule 3-204)

WALK THROUGH

Batch I.D. (OCC Use Only)

12108-17

002150



4. NOTICE OF INTENTION TO:

☒ Drill ☐ Recomplete ☐ Reenter ☐ Amend Reason Amended

5. WELL LOCATION:

Section 24 Township 10N Range 3E County Pottawatomie

Well Location Feet from Quarter Section

NW 1/4 SE 1/4 NE 1/4 South Line 1199.5 West Line 1816.7

6. Well will be 823.3 feet from the nearest lease, property or unit boundary.

7. Lease Name Fairgrounds Well No. 1

8. Name of Operator

Estoril Producing Corporation

Address Phone (AC/Number)

400 W. Illinois, Suite 1600 915-683-6101

City State Zip

Midland TX 79701

9. Target Formations and Depths of each (Limited to Ten)

Skinner - 4550' TVD, Earlsboro - 4622' TVD, Bartlesville - 4744' TVD

404SKNR

404ERLB

404BRUL

10. Spacing Order Number(s) and Size of Spacing Unit(s)

259410 40 AC

11. Pending Application C.D. No.

12. Location Exception Order No.

13. Increased Density Order No.

14. Total Depth

5000' TVD

15. Ground Elev.

1068'

16. Date Oper. to Begin

2-11-88

17. Surf. Casing Depth

475' MC

Alternative Surface Casing Method

2-10-88

18. For Alternative Casing Procedures see General Rule 3-206 (Affidavit Required, see Reverse Side)

Check Appropriate box and fill in blank: Depth to Base of Treatable Water-bearing Formations: 425' ✓

☐ A. Treatable Water will be protected by use of a two stage cementing tool set at _____ depth.

☐ B. Cement will be circulated from total depth to the ground surface on the production casing string.

☐ C. Cement will be circulated from _____ depth to _____ depth on the next casing string set.

19. Is well being drilled under Federal jurisdiction? ☐ yes ☒ no

20. PROPOSED METHOD FOR DISPOSAL OF DRILLING FLUIDS (must be completed):

☐ A. Evaporation/dewater and leveling of reserve pit;

☐ B. Annular Injection (requires permit and surface casing set 200 ft. below base of Treatable Water-bearing fm);

☐ C. Onsite soil farming (requires permit);

☒ D. Haul to commercial earthen pit facility; specify site O'Daniel Mud, Maud, Ok. #274874

☐ E. Haul to commercial soil farming facility; specify site _____

☐ F. Haul to recycling/reuse facility; specify site _____

☐ G. Other method; specify _____

21. WELL LOCATION SURFACE OWNER: (Must be completed: Attach Sheet for Additional Surface Owners)

Name Missouri-Kansas-Texas Railroad Company

Address City State Zip

701 Commerce Street Dallas TX 75202

I hereby certify that I am authorized to submit this two page application, which was prepared by me or under my supervision and direction. The facts and proposals made herein are true to the best of my knowledge and belief.

22. Signature Bruce A. Carson Title Vice President Date 1-26-88

Address Phone (AC/Number)

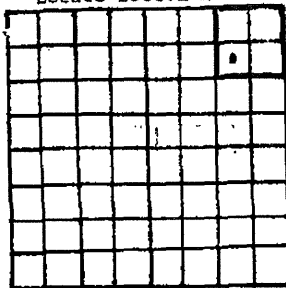
P.O. Box 3488, Shawnee, Ok. 74802-3488 405-273-6177

NOTICE: This application is void if drilling is not started within six (6) months of approval date. An approved permit must be posted on location while drilling and completing well. File the Form 1001A, Spud Report, within 14 days of commencement of operations.

WALK THROUGH
APPROVAL

FEB 10 1988

Locate Bottom Hole



23. BOTTOM HOLE LOCATION ON A DIRECTIONALLY DRILLED WELL:

Section	Township	Range	County
24	10N	3E	Pottawatomie
Well Location		Feet from Quarter Section	
C	$\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	South Line 1650'	West Line 1650'

002150

INSTRUCTIONS

1. File original form only.
2. Answer all questions, no. 1 through no. 22 (except no. 2 for new wells only).
3. If well is to be directionally drilled place bottom hole location on plat above and complete no. 23. Check box under no. 4.
4. If alternative casing program is proposed, see General Rule 3-206 for applicable method. A cement bond log must be run from no less than 100 feet below the base of the treatable water-bearing formations to the ground surface and submitted with the Form 1002A, Completion Report.
5. If alternative casing program is proposed, the affidavit below (no. 24) must be completed. The location, depth of the producing interval(s) and name(s) and address(es) of the owner/operator of each water well applicable may be obtained through the Oklahoma Water Resources Board, P.O. Box 53585, Oklahoma City, OK 73152, or the Oklahoma Conservation Commission, 2800 N. Lincoln, Ste. 160, Oklahoma City, OK 73105.
6. The proposed method of disposal of drilling fluids must be completed per General Rule 3-204. If the listed method is changed, the appropriate OCC District office must be notified in writing prior to commencement of the new disposal method.

24. AFFIDAVIT FOR ALTERNATIVE CASING PROGRAM
(signature on front of form attests to this affidavit)

1. This proposed well shall not penetrate any known lost circulation zone.
2. During drilling of this well, withdrawals from any water well within a quarter mile radius of this proposed well shall not exceed 50 gallons per minute.
3. List the following for each water well within a quarter mile radius of this proposed well. (If no water wells are found, please state.)

Name of Owner/Operator Address of Owner/Operator Location (nearest 1/4) Deepest Producing Interval

INTENT TO DRILL CHECKLIST
(For OCC Use Only)

259410/40AC

Approved Rejected

NP _____

NP _____

NP _____

FM _____

1. Surety
 - A. None filed
 - B. Expired: date _____
 - C. Outstanding Contempt Order
2. Intents

3. Spacing
4. Geology
 - Surface Casing
 1. Insufficient amount, requires _____ ft.
 2. Insufficient Alternative Casing Program
 3. No Affidavit Submitted for Alternative Casing Program
 4. Reentry, requires _____ ft., only _____ current
 - Unspaced: less than 2500 ft. (165')/more than 2500 ft. (330') only _____ ft. from N/S and _____ from E/W line
 - Spaced: Spacing Order No. _____
 1. Square pattern; 24, 10, 40, 160, 640
 2. Rectangular pattern; 5, 20, 80, 320 NW/SE or NE/SW
 3. Rectangular slot pattern; 5, 20, 80, 320 prior to 1971 (Y,N) SU/LD
 - Location Exception
 1. Surface hole location different
 2. Bottom hole location different
 - Pending Application: Spacing/Location Exception

C.D. No.: _____

R.O.M. Date: _____
 - Operator Name different in order No. _____

Name on Order _____

Location Exception/Increase Density/Pooling _____
 - Increase Density/Location Exception

Order expired: date _____
 - Outline lease or property boundary lines

CLUN, SKNR, ERLB, BRUL,
BPUNC, MSNR, HNTN: VIOL.,
1 SMPSPOLD, WLCX 1 1/2

00*04- 9NHO
00*002\$ X03HO
00*002\$ 7LL\$
00*002\$ ONILM
00*002\$ 11:55AM 02/10/88 0224919 A 0001

Regular Board of Commissioners

10.

Meeting Date: 08/19/2013

Sales Tax

Submitted By: Donna Mayo, Administration

Department: Administration

Information

Title of Item for Agenda

Acknowledge Sales Tax Report received August 2013.

Attachments

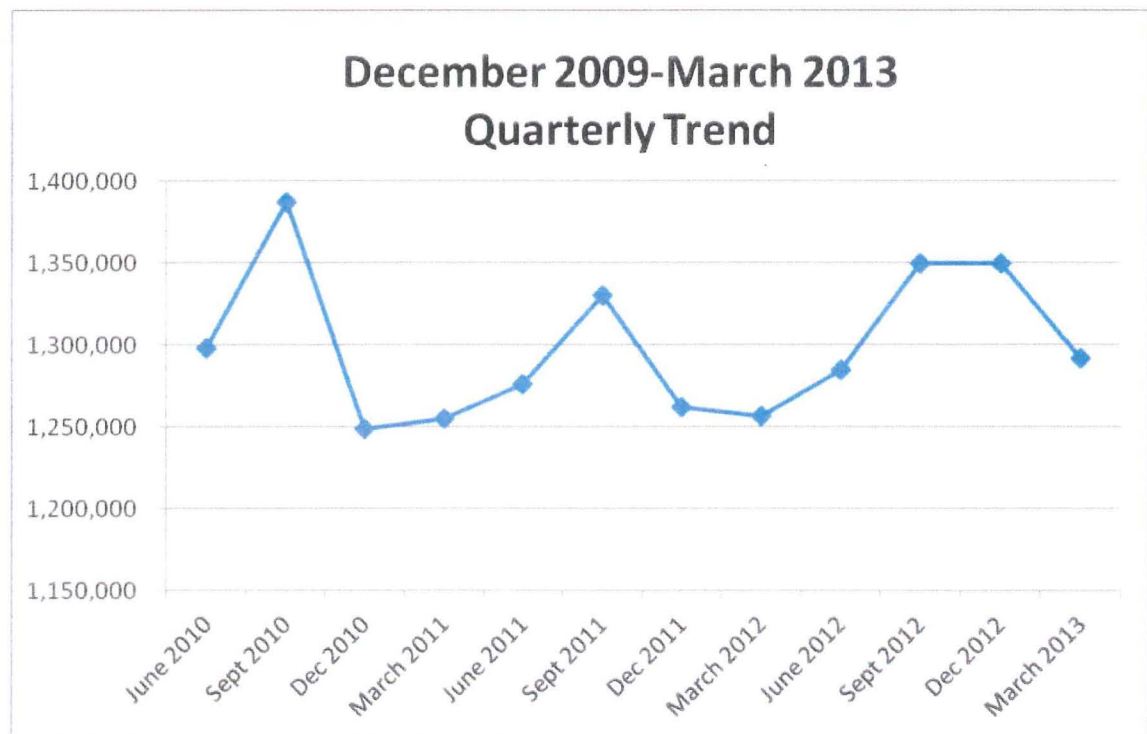
Sales Tax

City of Shawnee Memorandum

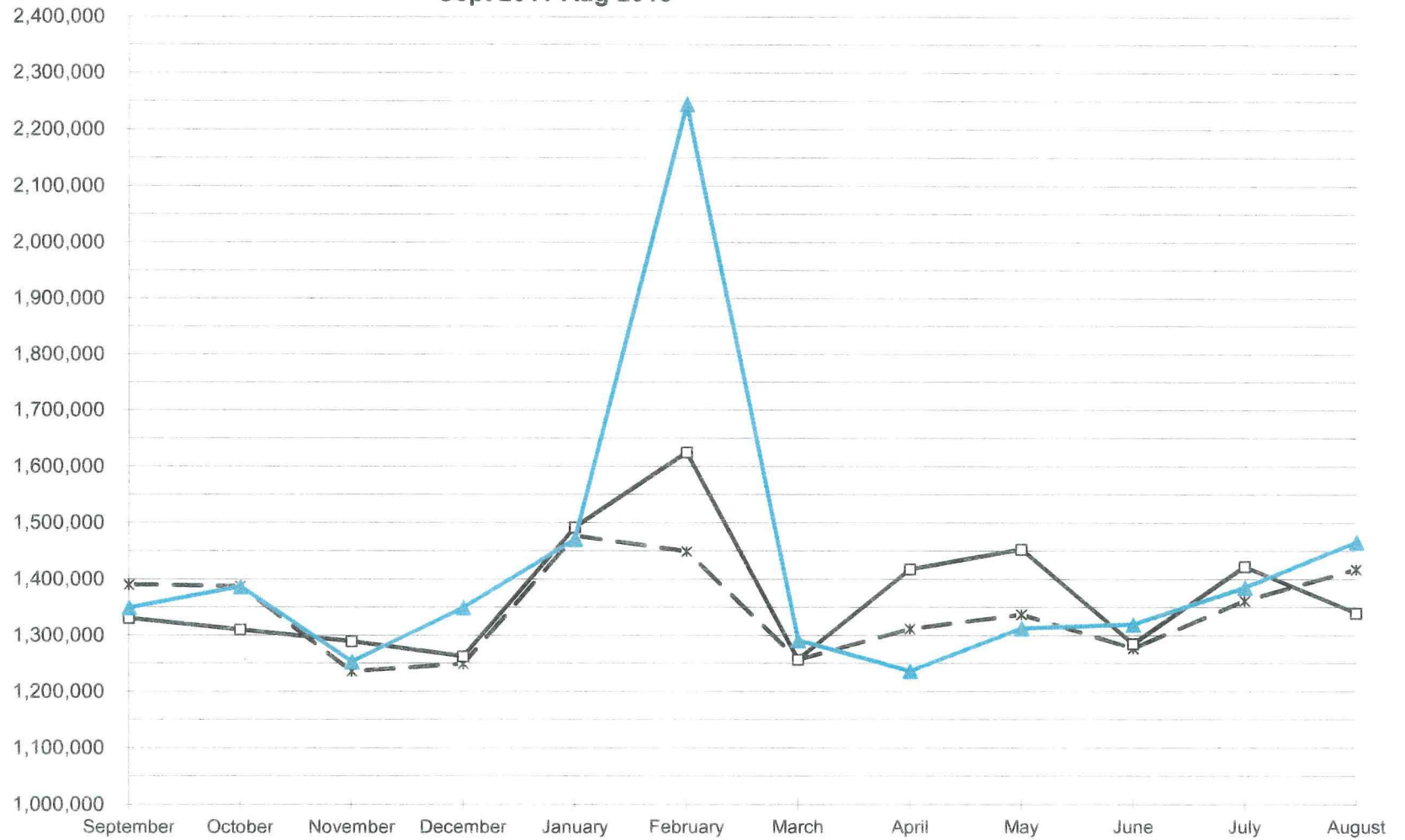
To: Mayor and City Commissioners
CC: Brian McDougal, City Manager
From: Cynthia R Sementelli, Finance Director
Date: August 9, 2013
Re: City Sales Tax Report



August Sales Tax receipts were up \$126,711 this month or 9.46% compared to last year actual for the same time frame. August Sales tax amount received plus interest was \$1,466,250 which accumulatively for the fiscal year we are up \$89,402 or 3.24%.



CITY OF SHAWNEE SALES TAX COLLECTIONS Sept 2011-Aug 2013



- x--- September 2010 through August 2011
- September 2011 through August 2012
- △— September 2012 through August 2013

	September 2010	September 2011	September 2012	Increase	(Decrease)
	through	through	through	Over Prior Year	
Month	August 2011	August 2012	August 2013	Amount	Percentage
September	1,389,702	1,330,420	1,349,282	18,862	1.42%
October	1,386,987	1,309,924	1,386,657	76,733	5.86%
November	1,235,390	1,289,143	1,253,140	(36,003)	(2.79%)
December	1,248,649	1,262,401	1,349,459	87,058	6.90%
January	1,476,824	1,491,647	1,470,565	(21,082)	(1.41%)
February	1,448,966	1,624,568	2,245,070	620,503	38.19%
March	1,256,430	1,256,806	1,291,532	34,726	2.76%
April	1,311,387	1,417,533	1,236,564	(180,969)	(12.77%)
May	1,337,029	1,452,759	1,312,710	(140,049)	(9.64%)
June	1,276,542	1,284,872	1,319,813	34,941	2.72%
July	1,361,273	1,422,363	1,385,055	(37,309)	(2.62%)
August	1,417,308	1,339,539	1,466,250	126,711	9.46%
Total	13,367,904	13,720,074	14,214,792	494,718	3.61%
		Prior Year	Current Year	Increase	(Decrease)
Period		Actual	Actual	Over Prior Year	
Fiscal Year to Date		2,761,902	2,851,304	\$89,402	3.24%
Fiscal Year to Date Budget based					
		Current Year	Current Year	Budget Variance	
Period		Budget	Actual	Favorable	(Unfavorable)
Fiscal Year to Date		2,761,902	2,851,304	\$89,402	3.24%