



The City of Oklahoma City
Planning Department, Subdivision and Zoning
 420 West Main Street, Suite 910, Oklahoma City, Oklahoma, 73102
 Phone: (405) 297-2623 – Web: <https://www.okc.gov>

Staff Use Only:	1106
Case No.: CE	15JUN'23
File Date:	7
Ward No.:	DOWNTOWN OKC
Nbhd. Assoc.:	OKC
School District:	SPUD-1354
Extg Zoning:	DSHA
Overlay:	

APPLICATION FOR CLOSING

Public Way (Street / Alley) or Easement

Johnson & Associates on behalf of OCURA and BT Development
 Name of Applicant

903 N. Stiles Ave.
 Address / Location of Property

Undeveloped; construction underway
 Present Use of Property

Development of Innovation Hall and accompanying private development
 Purpose Statement / Development Goal

SUBMITTAL REQUIREMENTS:

- ☐ 1.) One (1) Typed Legal Description of Easement Closure area in MS Word file (.doc or .docx) format.
- ☐ 2.) One (1) copy of Recorded Deed(s), with Exhibit(s), for each property owner requesting closure.
- ☐ 3.) One (1) copy of Letter of Authorization from Property Owner (s) listing Designated Representative if Applicant is not a Property Owner of record.
- ☐ 4.) One (1) copy of Property Owners Report listing all property owners who own property within a 300-foot buffer area of the property to be closed. The list **MUST** include the mailing address and the legal description of their property and **MUST** be current to within 30 days of the date of submittal of the application. A minimum of 15 separate individual property owners is required. If there are less than 15 individual owners within the 300-foot buffer, the radius must be extended by increments of 100 feet until the list contains no less than 15 owners. Provide One (1) PDF (.pdf) file version, AND one (1) MS Excel (.xls or .xlsx) file version.
- ☐ 5.) One (1) Signed and Notarized copy of "Affirmation" that the Property Owners Report listings are true and correct unless the list is prepared by a Certified Abstractor or County official.
- ☐ 6.) One (1) Petition of Request for Public Way or Easement Closure. Consisting of written consent from property owners who own more than Fifty Percent (50%) of the total frontage of the easement sought to be closed. Said petition must include all consenting property owners' names, signatures with date(s), subject property address, mailing address(es), telephone number(s), email contact information, and copy of each applicants deed in .pdf file format. Reference "Easement Closure Petition Sample" document for preferred formatting.
- ☐ 7.) One (1) map which indicates the location of the public way/easement to be closed. This map must illustrate property ownership lines and indicate property the owner's names of all property owners requesting closure.
- ☐ **OPTIONAL BUT RECOMMENDED:** One (1) certified Topographic Survey showing all existing utilities, with dimensions, within the proposed easement closure area. Maps, Site Plan and, or Survey Exhibits must be 600dpi minimum resolution, scalable, and in a .pdf file format. Photographic file formats of drawings, maps, or other documents will not be accepted.
- ☐ A filing fee of \$1500.00 must be remitted within One (1) business day of submittal confirmation. (Online payment available / preferred.)

Property Owner Information (if other than Applicant):

BT Phase III, LLC and BT Hotel, LLC

Name

204 N Robinson Ave, Unit 700

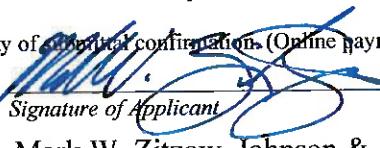
Mailing Address

Oklahoma City 73102

City, State, Zip Code

Phone

Email


 Signature of Applicant

Mark W. Zitzow, Johnson & Associates

Applicant's Name (please print)

1 E. Sheridan Ave., Suite 200

Applicant's Mailing Address

Oklahoma City OK 73104

City, State, Zip Code

(405) 235-8075

Phone

mzitzow@jaokc.com

Email

Submit your Application by Email to Subdivisionandzoning@OKC.gov

Compressed files (.zip, etc.) or links to FileShare services (Dropbox, Google Drive, etc.) can not be accepted for security purposes.

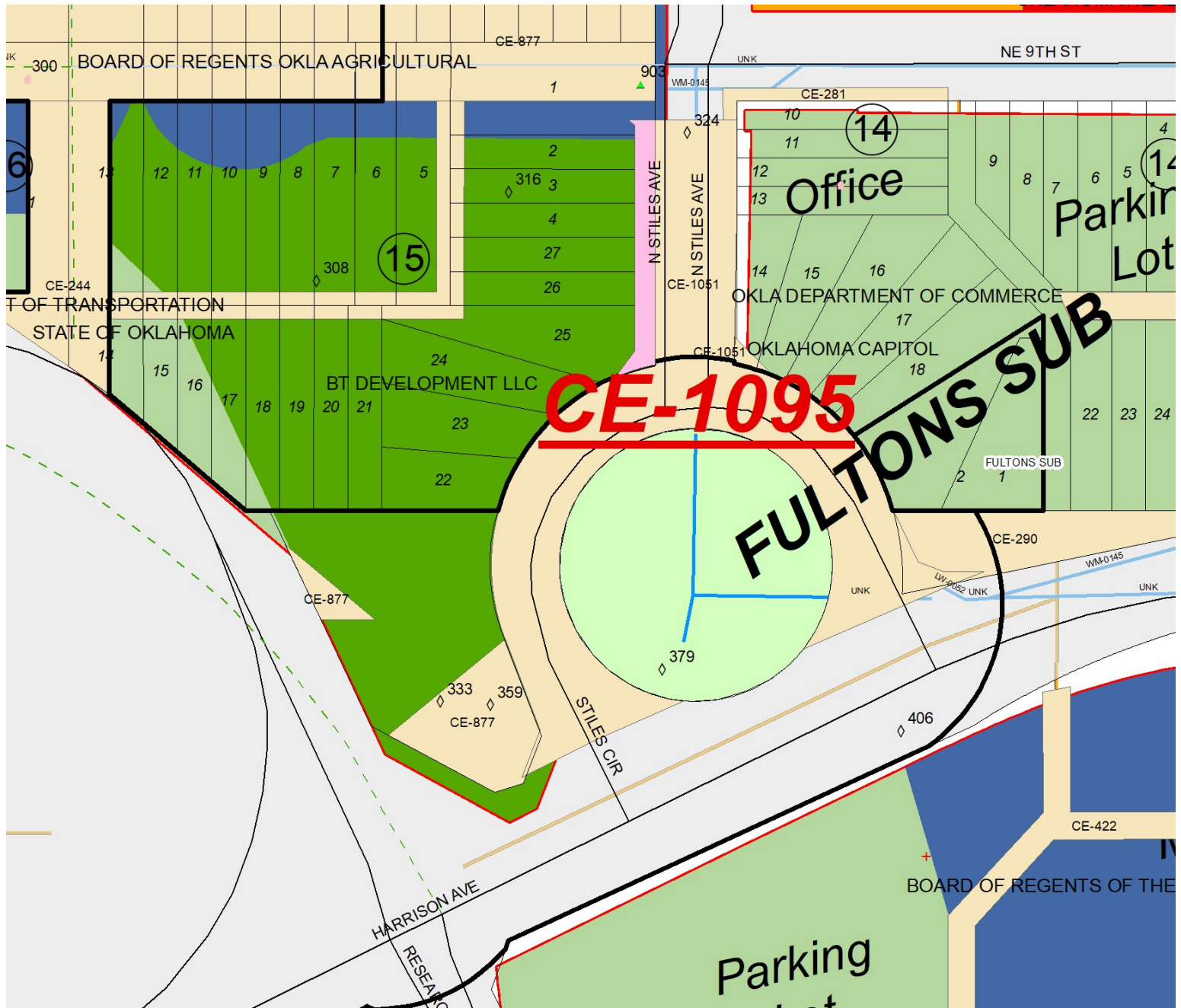


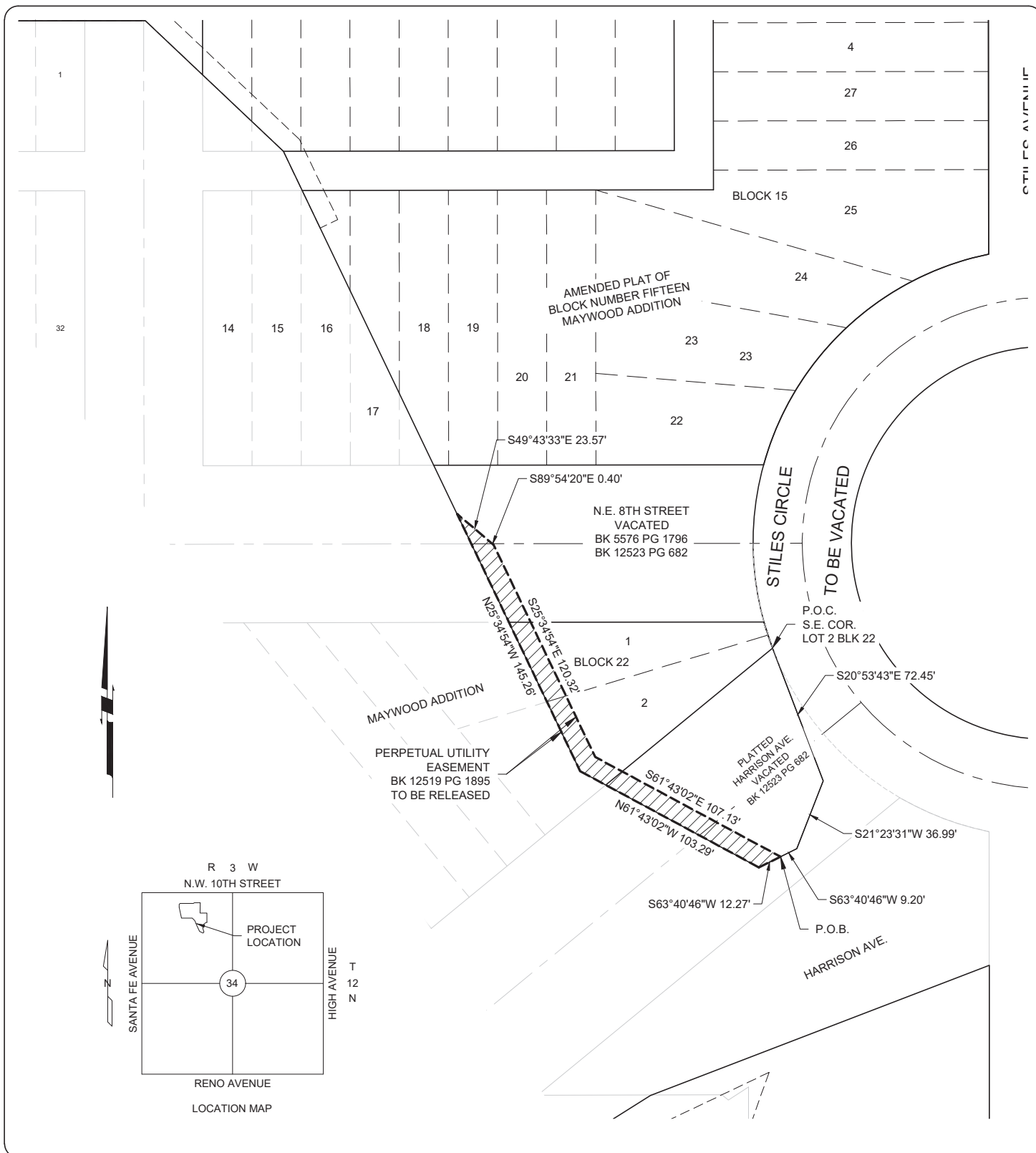
EXHIBIT A

LEGAL DESCRIPTION

Release of
Perpetual Utility Easement
Book 12519 Page 1895

All of the Perpetual Utility Easement recorded in Book 12519, Page 1895 and being strip, piece or parcel of land lying in part of Lots 1 and 2, Block 22 Maywood Addition to Oklahoma City and that portion of vacated Harrison Avenue lying South of Block 22 Maywood Addition to Oklahoma City and that portion of vacated N.E 8th Street lying between Block 15, of the Amended Plat of Block Number Fifteen Maywood Addition to Oklahoma City, according to the recorded plat thereof and Block 22 of Maywood Addition to Oklahoma City, according to the recorded plat thereof, in Oklahoma County, Oklahoma. Said parcel of land also being described as a part of Section 34, Township 12 North, Range 3 West. Said parcel of land being described by metes and bounds as follows:

Commencing at the Southeast corner of said Lot 2, Block 22 thence S 20°53'43" E a distance of 72.45 feet, thence S 21°23'31" W a distance of 36.99 feet, thence S 63°40'46" W a distance of 9.20 feet to the point of beginning, thence continuing S 63°40'46" W a distance of 12.27 feet, thence N 61°43'02" W a distance of 103.29 feet, thence N 25°34'54" W a distance of 145.26 feet to a point on the present Easterly right of-way line of Interstate Highway No. 235, thence S 49°43'33" E along said present Easterly right-of-way line a distance of 23.57 feet to a point on the centerline of that portion of vacated N.E. 8th Street, thence S 89°54'20" E along said centerline a distance of 0.40 feet, thence S 25°34'54" E a distance of 120.32 feet, thence S 61°43'02" E a distance of 107.13 feet to said point of beginning.



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RELEASE

OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA

PERPETUAL UTILITY EASEMENT

BK 12519 PG 1895



Johnson & Associates
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
(405) 235-8075 FAX (405) 235-8078 www.jaokc.com
Certificate of Authorization #1484 Exp. Date: 06-30-2023
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OKLAHOMA CITY

URBAN RENEWAL AUTHORITY

June 14, 2023

City of Oklahoma City
Development Services Department
420 W. Main Street, 9th Floor
Oklahoma City OK 73102

Attn: Sarah Welch

RE: Letter of Authorization for Submittal to the City

Dear Sarah:

The Oklahoma City Urban Renewal Authority (OCURA) is the owner of the easements sought to be closed, vacated, released, and discontinued for the purpose of developing Innovation Hall and its surrounding project known as Convergence. As Executive Director of OCURA, I hereby authorize Johnson & Associates, Inc. to act as agent on OCURA's behalf in the submittal and processing of this public utility easements closure application. If you have any questions or comments, please feel free to contact me at the number listed above.

Respectfully submitted,



Kenton Tsoodle,
Executive Director

cc: Mark W. Zitzow, AICP, Johnson & Associates, Inc.

BT DEVELOPMENT LLC
211 N Robinson Ave., Ste N1950
Oklahoma City, OK 73102
PH:

April 5, 2021

City of Oklahoma City
Development Services Department
420 W. Main Street, 9th Floor
Oklahoma City, OK 73102

Attn: Mr. JJ Chambless

RE: Letter of Authorization for Submittal to the City

Dear JJ:

As owner/representative of the subject property, I hereby authorize Johnson & Associates, Inc. to act as agents on our behalf in the submittal and processing of this Street Closure application and all subsequent applications to the City of Oklahoma City. If you have any questions or comments, please feel free to contact me at the number listed above.

Respectfully Submitted,



Mark Beffort

cc: Mark W. Zitzow, AICP, Johnson & Associates, Inc.
File: 3215 009/PER

June 15, 2023

City of Oklahoma City
Development Services Department
420 W. Main St., 9th Floor
Oklahoma City OK 73102

Attention: Ms. Sarah Welch

RE: Innovation District, Harrison-Walnut Urban Renewal Plan: Public Utility Easements
Closure and Vacation Application

Dear Ms. Welch:

On behalf of the Oklahoma City Urban Renewal Authority ("OCURA") and BT Development, L.L.C., co-applicants, we are submitting a request for a public utility easements closure and vacation application to be reviewed and approved by the Planning Commission and City Council. The public utility easements are located within certain land in the City of Oklahoma City, Oklahoma County, Oklahoma as further described in Schedule 1 of the enclosed Application.

This public utility easements closure application is requested to allow for the development of Innovation Hall and its accompanying private development. We believe the public utility easements closure is appropriate for the area and necessary for the contemplated development.

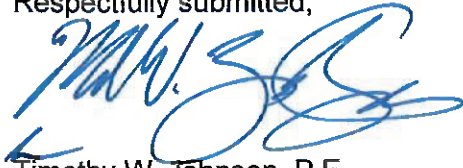
The property within which the reserved public utility easements are located lies within the City's Harrison-Walnut Urban Renewal Area. The provided attachments include the resolution and ordinance necessary for the City Council to simultaneously close and vacate (i) a perpetual utility easement in the Quitclaim Deed from the State of Oklahoma, ex rel., Oklahoma Department of Transportation ("ODOT") to OCURA recorded in Book 12519, Page 1895, as subsequently conveyed from ODOT to OCURA by Quitclaim Deed recorded in Book 15462, Page 320 and (ii) a portion of the Utility Easement from OCURA to ODOT recorded in Book 12519, Page 1902, as subsequently conveyed from ODOT to OCURA by Quitclaim Deed recorded in Book 15462, Page 288, in accordance with the process authorized under the Oklahoma Urban Renewal Law, 11 O.S. §38-101, *et seq.*

Please find attached the following submittal documents for the above referenced project:

- Application, which includes the draft resolution and ordinance
- Letters of Authorization
- Deeds
- Legal Descriptions of Easement Closure Area and associated exhibits
- Exhibit
- Minimum 300-foot radius Ownership List
- 1 filing fee of \$1,500.00

Please review the submittal for its completeness and place this item on the Planning Commission docket for **July 27, 2023**. Should you have any questions or comments, please feel free to contact this office.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Timothy W. Johnson', with a stylized flourish at the end.

Timothy W. Johnson, P.E.
JOHNSON & ASSOCIATES, LLC

Attachment(s)

cc: Mark W. Zitzow, AICP, Johnson & Associates, LLC
4786 000/PER

CASE NO. CE-_____

**APPLICATION FOR CLOSURE, VACATION, RELEASE, AND DISCONTINUED USE
OF CERTAIN PUBLIC UTILITY EASEMENTS**

**TO THE PLANNING COMMISSION
AND THE CITY COUNCIL OF
THE CITY OF OKLAHOMA CITY:**

DATE: June ____, 2023

The undersigned does hereby respectfully make application and petition to the Planning Commission and the City Council of The City of Oklahoma City ("City") pursuant to 11 O.S. §38-109 to take action on the following matters:

Close, vacate, release, and discontinue the use of certain public utility easements, previously reserved or dedicated, in the City of Oklahoma City, Oklahoma, that burden the land described and depicted on Schedule 1 attached hereto ("Property").

In support of this application, the undersigned does hereby respectfully provide the following information:

1. This application is submitted by the undersigned, Johnson & Associates, Inc., on behalf of Oklahoma City Urban Renewal Authority ("OCURA") and BT Development, L.L.C. (together with OCURA, "Applicant"), each of which has authorized the undersigned to make such application.
2. The purpose of this request is to support continuing redevelopment pursuant to the objectives of the City's Regional Innovation District Project Plan and the Harrison-Walnut Urban Renewal Plan, as amended, an urban renewal plan adopted by the City in accordance with 11 O.S. §38-101, *et seq.* Specifically, the requested closure, vacation, release, discontinued use, and foreclosure of certain public utility easements and the right to reopen such easements, as described in this application, will assist with the development of Innovation Hall.
3. The Property is burdened by certain public utility easements previously granted or reserved by the documents filed of record listed below. The easements that Applicant is requesting the City to release are described and depicted on Schedule 2 attached hereto. These easements were conveyed by the State of Oklahoma, ex. rel. Oklahoma Department of Transportation ("ODOT") to OCURA pursuant to 69 O.S. §1001 as further described below:
 - a. A perpetual utility easement reserved by ODOT in the Quitclaim Deed from ODOT to OCURA recorded in Book 12519, Page 1895, as subsequently conveyed from ODOT to OCURA by Quitclaim Deed recorded in Book 15462, Page 320.

- b. A portion of the Utility Easement granted by OCURA to ODOT recorded in Book 12519, Page 1902, as subsequently conveyed from ODOT to OCURA by Quitclaim Deed recorded in Book 15462, Page 288.
4. The Applicant hereby requests that the public utility easements conveyed by the Quitclaim Deeds from ODOT to OCURA listed immediately above and described in Schedule 2 be closed, vacated, and discontinued
5. The owners of record immediately surrounding and lying within a [300]-foot radius of the Property are listed on Schedule 3 attached hereto.
6. A proposed resolution establishing a date for the proposed ordinance and stating notice requirements is attached as Schedule 4.
7. A proposed ordinance is attached as Schedule 5.

APPLICANT:

Oklahoma City Urban Renewal Authority

By: 

Johnson & Associates, LLC
1 E. Sheridan, Suite 200
Oklahoma City, Oklahoma 73104
T: (405) 235-8075

As authorized by and on behalf of
Oklahoma City Urban Renewal Authority

BT Development, L.L.C.

By: 

Johnson & Associates, LLC
1 E. Sheridan, Suite 200
Oklahoma City, Oklahoma 73104
T: (405) 235-8075

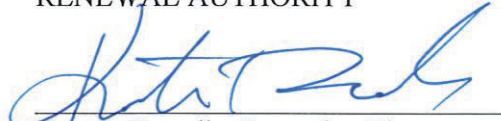
As authorized by and on behalf of BT
Development, L.L.C.

APPLICANT SIGNATURE PAGE
TO APPLICATION FOR CLOSING PUBLIC WAY (STREET / ALLEY) OR EASEMENT

BT DEVELOPMENT, L.L.C.

Mark Beffort

OKLAHOMA CITY URBAN
RENEWAL AUTHORITY



Kenton Tsoodle, Executive Director

SCHEDULE 1

**LEGAL DESCRIPTION AND DEPICTION OF PROPERTY
WITHIN WHICH PUBLIC UTILITY EASEMENTS ARE TO BE
VACATED, RELEASED, DISCONTINUED, AND CLOSED**

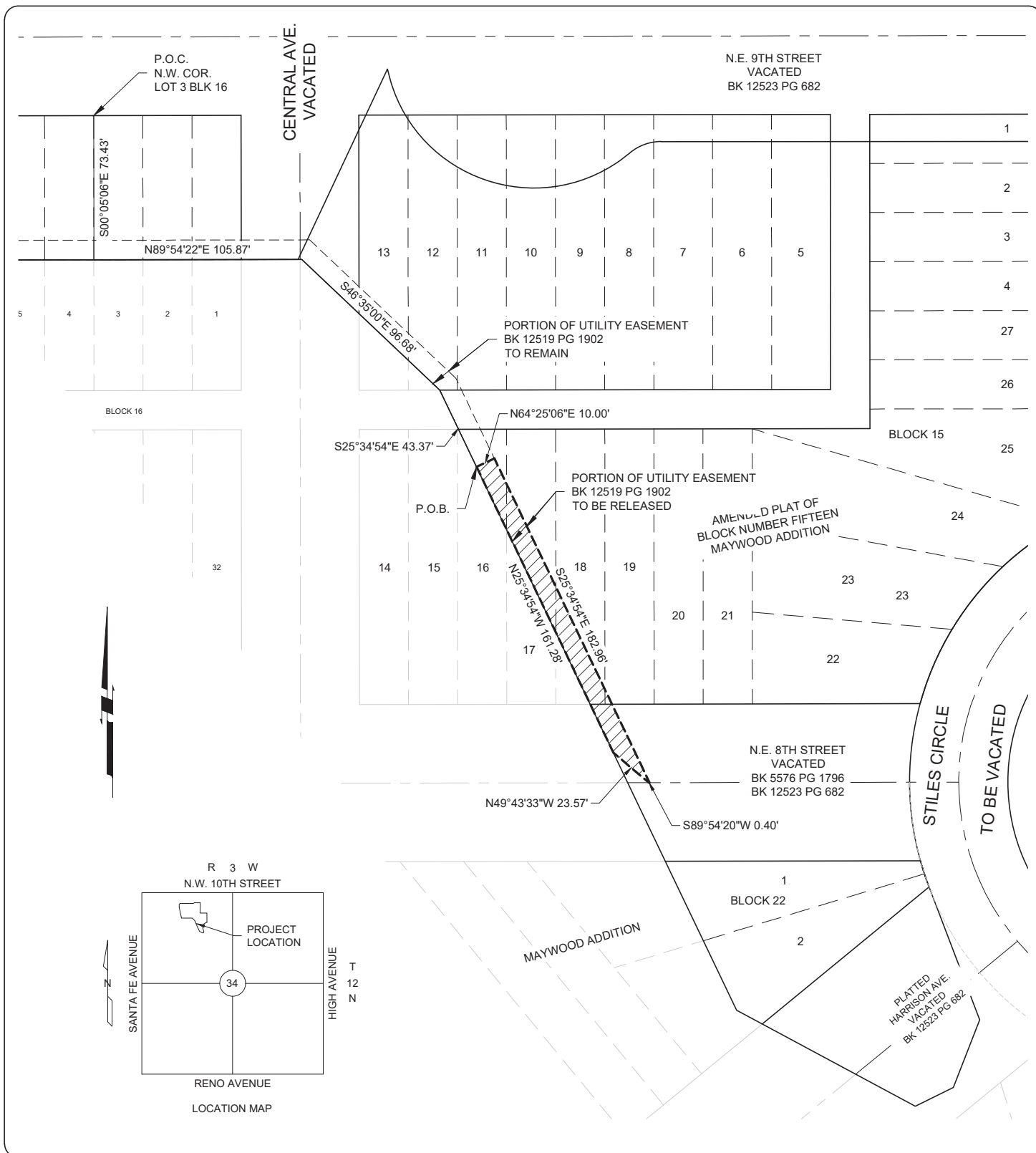
EXHIBIT B

LEGAL DESCRIPTION

Release of
Utility Easement
Book 12519 Page 1902

A portion of the Utility Easement recorded in Book 12519, Page 1902 and being a strip, piece or parcel of land lying in part of Lots 16 thru 19 inclusive, Block 15 of the Amended Plat of Block Number Fifteen Maywood Addition to Oklahoma City and a portion of vacated N.E. 8th Street lying South of Block 15 of the Amended Plat of Block Number Fifteen Maywood Addition to Oklahoma City, according to the recorded plat thereof, in Oklahoma County, Oklahoma. Said parcel land also being described as a part of Section 34, T12N, R3W. Said parcel of land being described by metes and bounds as follows:

Beginning at a point on the West line of said Lot 3, Block 16 of Maywood Addition to Oklahoma City a distance of 73.43 feet S 00°05'06" E of the Northwest corner of said Lot 3, said point also being on the permanent Easterly right-of-way line of Interstate Highway No. 235, thence N 89°54'22" E along said Easterly permanent right-of-way line a distance of 105.87 feet, thence S 46°35'00" E along said Easterly permanent right-of-way line a distance of 96.68 feet to a point on the South line of Lot 12, Block 15 of the Amended Plat of Block Number Fifteen Maywood Addition to Oklahoma City, thence S 25°34'54" E along said Easterly permanent right-of-way line a distance of 43.37 feet to the POINT OF BEGINNING, thence continuing S 25°34'54" E along said Easterly permanent right-of-way line a distance of 161.28 feet to a point on the present Easterly right-of-way line of Interstate Highway No. 235, thence S 49°43'33" E along said present Easterly right-of-way line a distance of 23.57 feet, thence N 89°54'20" E along said present Easterly right-of-way line a distance of 0.40 feet, thence N 25°34'54" W a distance of 182.96 feet, thence S 64°25'06" W, a distance of 10.00 feet to the POINT OF BEGINNING.



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PARTIAL RELEASE
OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA
UTILITY EASEMENT
BK 12519 PG 1902



Johnson & Associates
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
(405) 235-8075 FAX (405) 235-8078 www.jaokc.com
Certificate of Authorization #1484 Exp. Date: 06-30-2023
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SCHEDULE 2

**LEGAL DESCRIPTIONS AND DEPICTIONS OF
PUBLIC UTILITY EASEMENTS REQUESTED TO BE
VACATED, RELEASED, DISCONTINUED, AND CLOSED**

EXHIBIT A AND EXHIBIT B

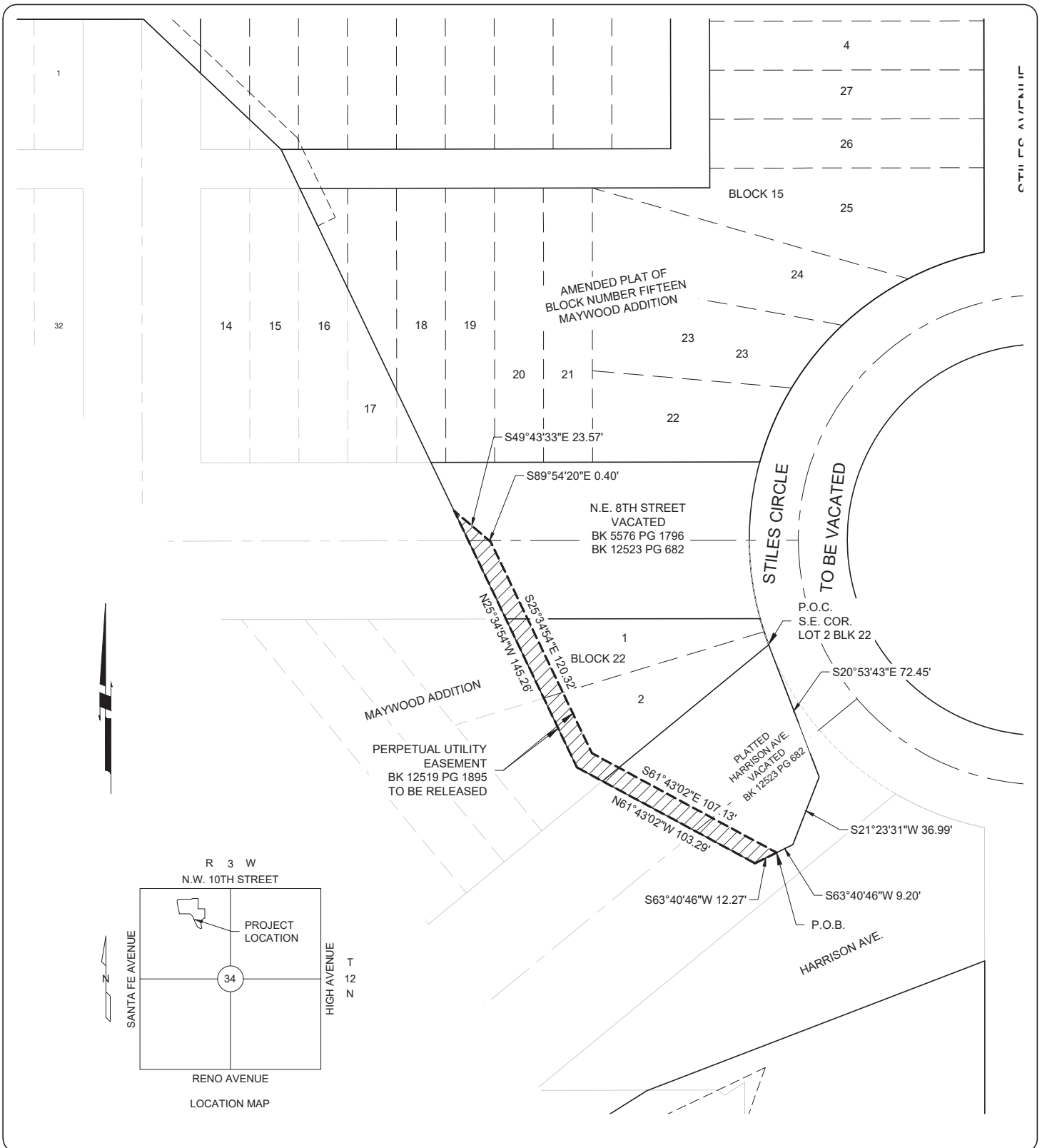
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RELEASE

OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA

PERPETUAL UTILITY EASEMENT
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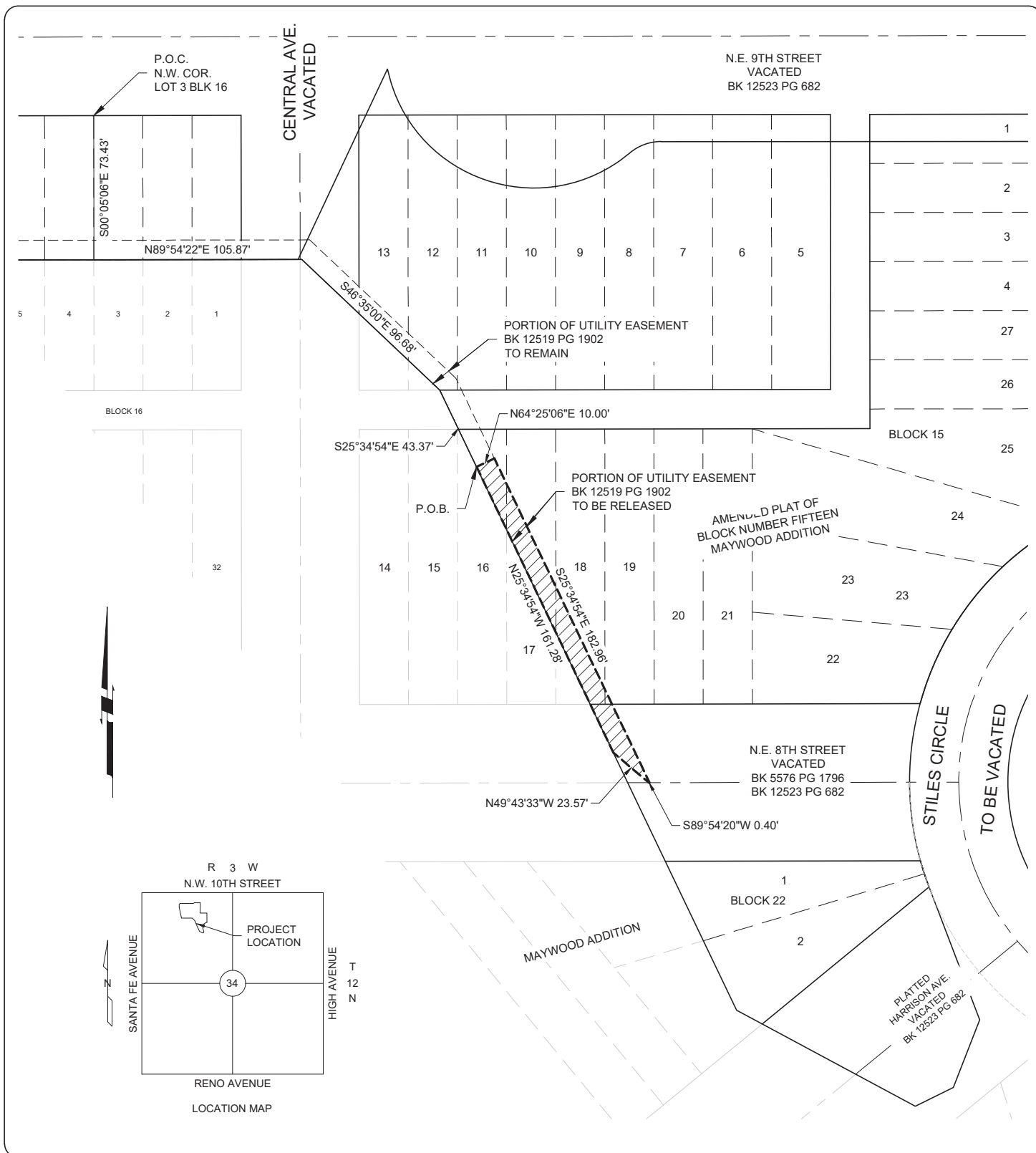
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PARTIAL RELEASE
OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA
UTILITY EASEMENT
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SCHEDULE 3

**OWNERS OF RECORD WITHIN A 300-FOOT RADIUS OF
THE PROPERTY**

Larry Stein

Oklahoma County Assessor's Office



Ownership Radius Report

This Official Report is for Account Number R020142860 & R020142855 and is a 300-foot radius from the outside of the polygon. If the minimum number of different owners was not reached it was extended by 100-foot increments until the required number of different owners was reached, or the maximum distance was reached. This report does not constitute a legal survey or document, for definitive description of real property and ownership; consult the deeds recorded in the Oklahoma County Clerks Office. **Official Record of this Certified Radius Report will expire 30 days from the date of creation stamped on the back of this sheet.**

STATE OF OKLAHOMA } ss:
COUNTY OF OKLA.

I, the duly elected, qualified and acting
County Assessor, in and for the County
and State aforesaid, do hereby certify that
the within and foregoing is a full, true and
complete copy of 300 AC Baseline Report

filed in the office of the County Assessor
on the 15 day of June, 20 23

Given under my hand and official seal this
15 day of June, 20 23

County Assessor

G. Knight

Deputy

Oklahoma County Assessor's
300ft Radius Report
6/15/2023

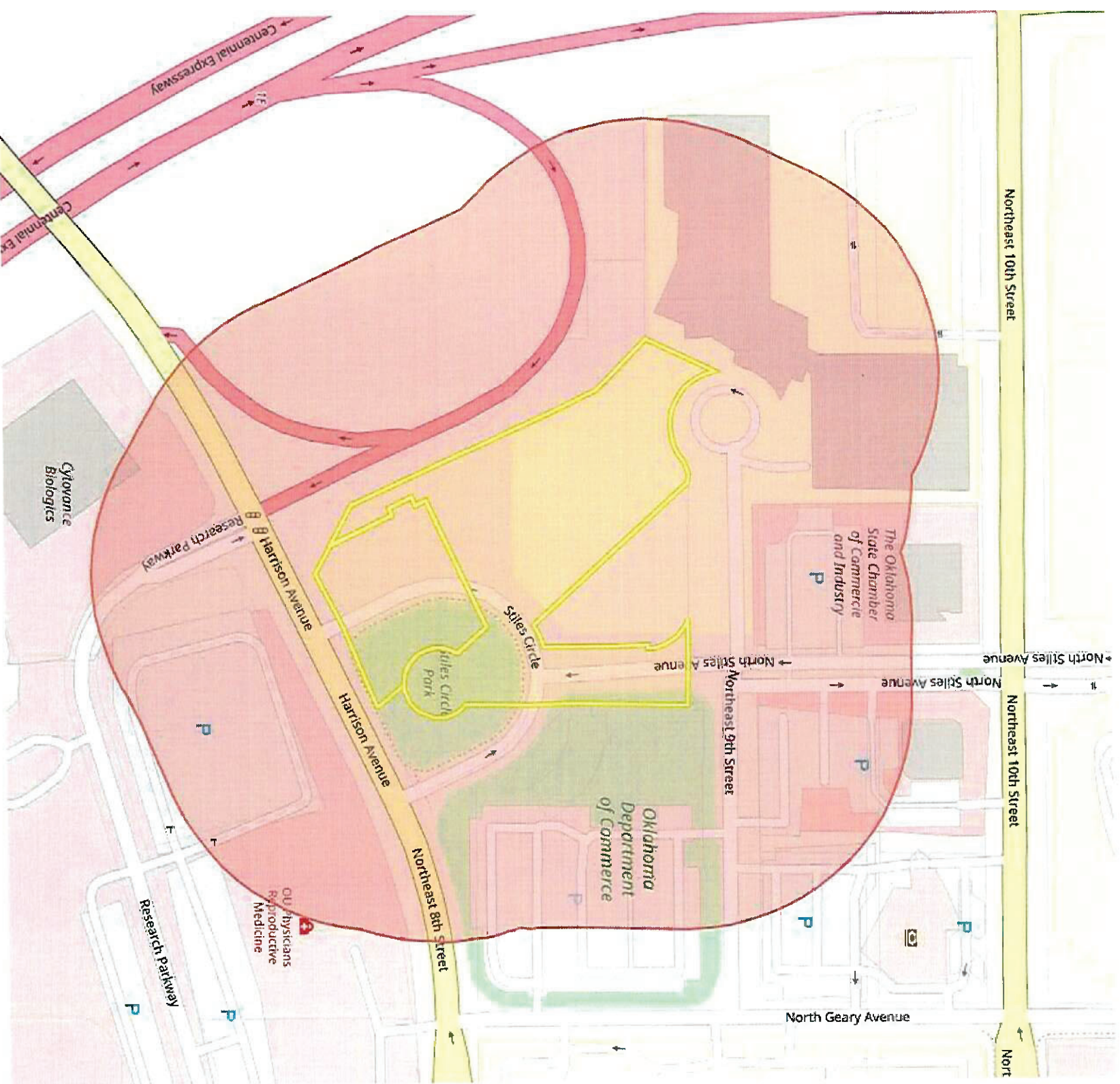
accountno	name1	name2	mailingaddress1	Shape	city	state	zipcode	subname	block	lot	legal	location	pin
R020145730	OKLAHOMA CITY REDEVELOPMENT	AUTHORITY	105 N ROBINSON, Unit 101		OKLAHOMA CITY	OK	73102	MAYWOOD ADDITION	028	000	MAYWOOD ADDITION 028 000 PT OF BLK 28 & PT VACATED STREETS & ALLEYS DESCRIBED AS BEG 121.91FT E & 153.61FT N & 132.72FT NWLY & 303.11FT W & 5FT N & 125FT W & 173.98FT NW & 542.71FT N & 238.75FT NW & 8	885 RESEARCH PKWY OKLAHOMA CITY	2736-02-014-5730
R020404875	OKLAHOMA CITY URBAN	RENEWAL AUTHORITY	105 N HUDSON STE 101		OKLAHOMA CITY	OK	73102	DAWSONS REPLAT ADD	024	000	DAWSONS REPLAT ADD BLK 000 LOT 000 PT N/2 SEC 34 12N 3W BEG 121.91FT E & 1595.80FT N & 349.35FT W & 60.95FT SW & 242.82FT SW ON A CURVE & 48.36FT SW OF CENTER OF SEC 34 TH SELY277.36FT SWLY207.72FT NW	7 STILES CIR OKLAHOMA CITY	2736-02-040-4875
R020144780	BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA		1105 N STONEWALL AVE		OKLAHOMA CITY	OK	73117	MAYWOOD ADDITION	024	000	MAYWOOD ADDITION 024 000 PT N/2 SEC 34 12N 3W BEG 50FT W OF NE/C BLK J OAK PARK ADDN TH W349.35FT & SW30.48FT TO POINT OF BEG TH S283.36FT SWLY239.02FT NW277.36FT NE48.37FT NELY ON A CURVE TO THE RIGH	840 RESEARCH PKWY, Unit 100 OKLAHOMA CITY	2736-02-014-4780
R020142598	OKLAHOMA DEPARTMENT OF COMMERCE		2401 N LINCOLN BLVD STE 126		OKLAHOMA CITY	OK	73105	MAYWOOD ADDITION	000	000	MAYWOOD ADDITION 000 000 PT OF BLK 14 MAYWOOD ADDN & PT OF FULTONS SUB & VAC STREETS & ALLEYS ADJ SD PROPERTY BEG 148.16FT S & 6.67FT E OF NW/C BLK 14 TH E11FT N21.43FT SE ALONG A CURVE 26.70FT N5.91F	UNKNOWN	2736-02-014-2598
R020143035	DEPARTMENT OF TRANSPORTATION		200 NE 21ST ST		OKLAHOMA CITY	OK	73105-3299	MAYWOOD ADDITION	016	000	MAYWOOD ADDITION 016 000 PT LOT 3 & VAC ALLEY ADJ ON S BEG SW/C LOT 3 TH S10FT TO CENTER VAC ALLEY TH E37.50FT NWLY 48.02FT TH S20FT TO BEG EXEMPT	0 UNKNOWN OKLAHOMA CITY	2736-02-014-3035
R020142840	STATE OF OKLAHOMA	DEPT OF TRANSPORTATIO N	200 NE 21ST ST		OKLAHOMA CITY	OK	73105-3299	MAYWOOD ADDITION	000	000	MAYWOOD ADDITION 000 000 PT OF LOTS 12 THRU 18 BLK 15 & PT OF LOTS 1 THRU 3 BLK 16 & PT OF VACATED CENTRAL AVE LYING BETWEEN BLK 15 & BLK 16 & PT OF VACATED NE 8TH ST LYING S OF BLK 15 & PT OF VACATED	UNKNOWN	2736-02-014-2840
R020142595	OKLA DEPARTMENT OF COMMERCE		900 N STILES AVE		OKLAHOMA CITY	OK	73104-3234	MAYWOOD ADDITION	014	000	MAYWOOD ADDITION 014 000 ALL BLK 14 MAYWOOD ADD & ALL OF FULTONS SUB ADD PLUS PT VACATED STREETS & ALLEYS ADJ SD PROPERTY EX A TR BEG 148.16FT S & 6.67FT E OF NW/C BLK 14 TH E11FT N21.43FT SE ALONG A	900 N STILES AVE OKLAHOMA CITY	2736-02-014-2595

Oklahoma County Assessor's
300ft Radius Report
6/15/2023

R020142055	OKLAHOMA HEALTH SERVICES	FEDERAL CREDIT UNION	410 NE 10TH ST		OKLAHOMA CITY	OK	73104	MAYWOOD ADDITION	011	000	MAYWOOD ADDITION 011 000 LOTS 1 THRU 8 & LOTS 25 THRU 32	420 NE 10TH ST OKLAHOMA CITY	2736-02-014-2055
R020142130	FOUR R PARTNERSHIP		724 N CUSTER ST		WEATHERFORD	OK	73096-3814	MAYWOOD ADDITION	011	000	MAYWOOD ADDITION 011 000 LOTS 9 THRU 24 EX PT LOT 16 BEG NW/C TH S25FT NE35.36FT W25FT TO BEG	400 NE 10TH ST OKLAHOMA CITY	2736-02-014-2130
R020142838	BOARD OF REGENTS FOR THE OKLAHOMA	AGRICULTURE AND MECHANICAL COLLEGE	5TH FLOOR STUDENT UNION		STILLWATER	OK	74078	MAYWOOD ADDITION	000	000	MAYWOOD ADDITION BLK 000 LOT 000 PT NW4 SEC 34 12N 3W PT OF LOTS 1 THRU 14 & PT OF VACATED E/W ALLEY IN BLK 9 BEG 375FT W & 35.37FT SW & 40.19FT W OF NE/C LT 1 BLK 10 TH S93.26FT SW39.25FT W274.95FT N	UNKNOWN	2736-02-014-2838
R020141815	THE OKLA STATE CHAMBER OF	COMMERCE AND INDUSTRY	330 NE 10TH ST		OKLAHOMA CITY	OK	73104-3220	MAYWOOD ADDITION	010	000	MAYWOOD ADDITION 010 000 LOTS 1 THRU 8 & LOTS 25 THRU 32 & VACATED ALLEY LYING BETWEEN SD LOTS	330 NE 10TH ST OKLAHOMA CITY	2736-02-014-1815
R020142835	BOARD OF REGENTS OKLA AGRICULTURAL	& MECHANICAL COLLEGES FOR USE & BENEFIT	5TH FLOOR STUDENT UNION		STILLWATER	OK	74078	MAYWOOD ADDITION	000	000	MAYWOOD ADDITION 000 000 PT NW4 SEC 34 12N 3W & PT OF LTS 12 THRU 14 LT 19 & 20 ALL LTS 21 THRU 32 & PT VACATED E/W ALLEY IN BLK 9 & PT LT 16 & ALL LTS 9 THRU 15 & ALL LTS 17 THRU 24 & PT OF VACATED E	300 NE 9TH ST OKLAHOMA CITY	2736-02-014-2835
R020142130	FOUR R PARTNERSHIP		724 N CUSTER ST		WEATHERFORD	OK	73096-3814	MAYWOOD ADDITION	011	000	MAYWOOD ADDITION 011 000 LOTS 9 THRU 24 EX PT LOT 16 BEG NW/C TH S25FT NE35.36FT W25FT TO BEG	400 NE 10TH ST OKLAHOMA CITY	2736-02-014-2130
R020142850	BT INNOVATION HALL LLC		204 N ROBINSON AVE, Unit 700		OKLAHOMA CITY	OK	73102	MAYWOOD ADDITION	000	000	MAYWOOD ADDITION PT NW4 SEC 34 12N 3W BEG 1903.15FT E & 298.13FT S & 13.97FT S & 51.62FT W OF NW/C NW4 TH SE ALONG CURVE 71.51FT W4.41FT S40.87FT S63.09FT W.51FT S35.09FT SW ALONG CURVE 31.09FT NW2.32	UNKNOWN	2736-02-014-2850
R020142855	BT HOTEL LLC		204 N ROBINSON AVE, Unit 700		OKLAHOMA CITY	OK	73102	MAYWOOD ADDITION	000	000	MAYWOOD ADDITION PT NW4 SEC 34 12N 3W BEG 1903.15FT E & 298.13FT S & 380FT S & 13.97FT S & 48.33FT E & 157.58FT S & 10.22FT E & 132.36FT S & ALONG A CURVE 59.56FT SE & 57.35FT SE & 56FT SW OF NW/C NW4	UNKNOWN	2736-02-014-2855
R020142845	BT PHASE III		204 N ROBINSON AVE		OKLAHOMA CITY	OK	73102	MAYWOOD ADDITION	000	000	MAYWOOD ADDITION PT NW4 SEC 34 12N 3W BEG 1903.15FT E & 298.13FT S & 380FT S & 13.97FT S & 48.33FT E & 157.58FT S & 10.22FT E & 47.16FT S OF NW/C NW4 TH SE ON A CURVE 109.77FT SE89.14FT SW130.43 NW7.0	UNKNOWN	2736-02-014-2845

Oklahoma County Assessor's
300ft Radius Report
6/15/2023

R020142860	BT PHASE III LLC		204 N ROBINSON AVE, Unit 700		OKLAHOMA CITY	OK	73102-6801	MAYWOOD ADDITION	000	000	MAYWOOD ADDITION PT NW4 SEC 34 12N 3W BEG 1903.15FT E & 298.13FT S & 380FT S & 13.97FT S OF NW/C NW4 TH E48.33FT S157.58FT E10.22FT S132.36FT SW ALONG A CURVE 113.46FT SW39.19FT SW7.02FT SW116.08FT SW	UNKNOWN	2736-02-014-2860
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SCHEDULE 4

**CITY COUNCIL RESOLUTION ESTABLISHING DATE FOR
ORDINANCE AND STATING NOTICE RECIPIENTS**

SCHEDULE 4

RESOLUTION

A RESOLUTION OF THE COUNCIL OF THE CITY OF OKLAHOMA CITY ESTABLISHING A DATE FOR THE PROPOSED ENACTMENT OF AN ORDINANCE CLOSING, VACATING, RELEASING, AND FORECLOSING THE RIGHT TO REOPEN CERTAIN PUBLIC UTILITY EASEMENTS, DETERMINING THOSE ENTITLED TO NOTICE OF SAME, AND DIRECTING THAT SAID NOTICE BE ISSUED

WHEREAS, the State of Oklahoma, ex rel., Oklahoma Department of Transportation (“ODOT”) specifically reserved unto itself certain perpetual utility easements for public purposes pursuant to the Quitclaim Deed from ODOT to Oklahoma City Urban Renewal Authority (“OCURA”) recorded in Book 12519, Page 1895; and

WHEREAS, OCURA granted to ODOT a perpetual utility easement for public purposes in the Utility Easement recorded in Book 12519, Page 1902; and

WHEREAS, ODOT subsequently conveyed to OCURA its rights, title, and interest in portions of the public utility easements described above as follows: (i) a Perpetual Utility Easement reserved in Quitclaim Deed recorded in Book 12519, Page 1895 pursuant to a Quitclaim Deed recorded in Book 15462, Page 320 and (ii) a portion of the Utility Easement recorded in Book 12519, Page 1902 pursuant to a Quitclaim Deed recorded in Book 15462, Page 288; and

WHEREAS, in order to allow for the development of Innovation Hall and its accompanying private development, it is necessary and appropriate to close, vacate, release, discontinue, and foreclose the right to reopen the foregoing public utility easements, described on Exhibit A and Exhibit B; and

WHEREAS, an application to close, vacate, release, discontinue, and foreclose the right to reopen the described public utility easements has been considered by the Planning Commission of The City of Oklahoma City for the public purposes of performing the objectives of the Harrison-Walnut Urban Renewal Plan, namely:

Close, vacate, release, and discontinue the use of certain public utility easements, previously reserved or dedicated, in the City of Oklahoma City, Oklahoma, that burden the Property, which easements are described and depicted on Exhibit A and Exhibit B attached hereto.

WHEREAS, an ordinance closing, vacating, releasing, discontinuing, and foreclosing the right to reopen the existing public easements that were previously reserved or dedicated and that burden the Property is proposed to be considered by the City Council on the _____ day of _____, 2023; and

WHEREAS, the holders of franchises are as follows:

Oklahoma Natural Gas Company
P.O. Box 401
Oklahoma City, Oklahoma 73101
ATTENTION: Real Estate Services

Oklahoma Gas and Electric Company
P.O. Box 321 (M/C M-109)
Oklahoma City, Oklahoma 73101
ATTENTION: Kent Norris
Land Management Department

[AT&T/SBC
7001 NW 23rd Street, Room 335
Edmond, Oklahoma 73008
ATTENTION: Anita Cooper]

[Cox Cable of Oklahoma City
6301 Waterford Boulevard Suite 200
Oklahoma City, Oklahoma 73118
ATTENTION: Right-of-way/Construction]

WHEREAS, in addition thereto, the Council determines that others having a special right or privilege granted by ordinance or legislative enactment to use the aforesaid public utility easements are as follows: **None**

NOW, THEREFORE, BE IT RESOLVED by the Council of The City of Oklahoma City that the City Clerk be and is hereby directed to give notice to the public by one publication in a newspaper of general circulation within the City and further to mail 30 days' written notice to the following:

- A. All above listed franchise holders.
- B. All those having a special right or privilege as listed above.
- C. All property owners within 300 feet of the public utility easements to be closed and vacated whose names appear on the ownership list required to be submitted as a part of the application.

Such notice shall state that an ordinance to close the aforesaid public utility easements has been proposed for enactment on the day ____ of _____, 2023. A copy of the resolution shall be included with said written notice.

ADOPTED by the Council and SIGNED by the Mayor of The City of Oklahoma City,
Oklahoma on this ____ day of _____, 2023.

ATTEST:

MAYOR

(SEAL)

CITY CLERK

REVIEWED for form and legality.

ASSISTANT MUNICIPAL COUNSELOR

SCHEDULE 5

CITY COUNCIL ORDINANCE

SCHEDULE 5

Published in the Journal Record on _____, 2023.

ORDINANCE NO. _____

AN ORDINANCE CLOSING, VACATING, RELEASING, DISCONTINUING, AND FORECLOSING THE RIGHT TO REOPEN CERTAIN PUBLIC UTILITY EASEMENTS, IN ACCORDANCE WITH THE HARRISON-WALNUT URBAN RENEWAL PLAN, AS AMENDED, AS ADOPTED BY THE CITY OF OKLAHOMA CITY

ORDINANCE

WITNESSETH:

WHEREAS, the State of Oklahoma, ex rel., Oklahoma Department of Transportation (“**ODOT**”) specifically reserved unto itself certain perpetual utility easements for public purposes pursuant to the Quitclaim Deed from ODOT to Oklahoma City Urban Renewal Authority (“**OCURA**”) recorded in Book 12519, Page 1895; and

WHEREAS, OCURA granted to ODOT perpetual utility easements for public purposes in the Utility Easement recorded in Book 12519, Page 1902; and

WHEREAS, ODOT subsequently conveyed to OCURA its rights, title, and interest in portions of the public utility easements described above as follows: (i) a Perpetual Utility Easement reserved in Quitclaim Deed recorded in Book 12519, Page 1895, which ODOT conveyed to OCURA pursuant to a Quitclaim Deed recorded in Book 15462, Page 320 and (ii) a portion of the Utility Easement recorded in Book 12519, Page 1902, which ODOT conveyed to OCURA pursuant to a Quitclaim Deed recorded in Book 15462, Page 288; and

WHEREAS, this Council is authorized by virtue of 11 Okla. Stat. §38-109 to close, vacate, release, and discontinue public utility easements within any legally platted city or addition thereto, to aid in carrying out an urban renewal project; and

WHEREAS, this Council deems it necessary to close, vacate, release, discontinue, and foreclose the right to reopen the foregoing public utility easements for the public purposes of performing the objectives of the Harrison-Walnut Urban Renewal Plan.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

SECTION 1: The public utility easements, previously reserved or dedicated, in the City of Oklahoma City, Oklahoma, described and depicted on Exhibit A and Exhibit B attached hereto, are hereby annulled, closed, vacated, released, and discontinued. The public utility easements were previously granted and reserved by the documents filed of record described in the recitals above, as re-listed below:

1. A perpetual utility easement in the Quitclaim Deed from ODOT to OCURA recorded in Book 12519, Page 1895, as subsequently conveyed from ODOT to OCURA by Quitclaim Deed recorded in Book 15462, Page 320.
2. A portion of the Utility Easement from OCURA to ODOT recorded in Book 12519, Page 1902, as subsequently conveyed from ODOT to OCURA by Quitclaim Deed recorded in Book 15462, Page 288.

INTRODUCED AND READ in open meeting of the Council of The City of Oklahoma City, Oklahoma, on this _____ day of _____, 2023.

PASSED by the Council of The City of Oklahoma City, Oklahoma, on this _____ day of _____, 2023.

SIGNED by the Mayor of The City of Oklahoma City, Oklahoma, on this _____ day of _____, 2023.

MAYOR

ATTEST:

(SEAL)

CITY CLERK

REVIEWED for form and legality.

ASSISTANT MUNICIPAL COUNSELOR

3

2023010501002153 B: 15360 P: 1322
01/05/2023 04:24:36 PM Pgs: 7
Fee: \$30.00
Maressa Treat, County Clerk
Oklahoma County - State of Oklahoma



After recording, return to:

American Eagle Title

421 NW 13th, Ste 320
Oklahoma City, OK 73103

Reserved For Recording Information

SPECIAL WARRANTY DEED

(Airspace Fee Tract - Hotel)

BT DEVELOPMENT, L.L.C., an Oklahoma limited liability company ("**Grantor**"), for valuable consideration, the receipt of which is acknowledged, hereby grants, bargains, sells, and conveys unto BT HOTEL, LLC, an Oklahoma limited liability company ("**Grantee**"), whose mailing address is 204 N Robinson Ave Suite 700, Oklahoma City, OK 73102, fee simple ownership of the real property airspace described on Exhibit A, together with all the improvements and appurtenances (the "**Airspace Fee Tract**"), and warrants the title to the Airspace Fee Tract to be free, clear, and discharged of and from all former grants, claims, charges, taxes, judgments, mortgages, and other liens or encumbrances of any nature granted by, through, or under Grantor, but not otherwise, and further subject to, and excepting and excluding from such warranty (a) all interests in oil, gas, casinghead gas, distillate, coal, metallic ores, and other minerals therein, thereon, or thereunder previously reserved or conveyed; and (b) those easements, rights of way, and restrictive covenants of record, including without limitation the Agreement Regarding Airspace Boundary dated December 23, 2022, and recorded the real estate records of the County Clerk of Oklahoma County, Oklahoma, contemporaneously with this Special Warranty Deed.

To have and to hold the Airspace Fee Tract unto Grantee, and Grantee's successors and assigns forever.

Consideration less than \$100


[** Not Subject to Oklahoma Documentary Stamp Tax - 68 Okla. Stat. § 3201 **]

[SIGNATURE PAGES FOLLOW]

Executed and delivered effective as of December 23, 2022.

GRANTOR:

BT DEVELOPMENT, L.L.C., an Oklahoma
limited liability company

By: 
Name: Mark Beffort
Title: Manager

ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) ss:
COUNTY OF OKLAHOMA)

This instrument was acknowledged before me on December 23, 2022, by Mark Beffort,
Manager of BT DEVELOPMENT, L.L.C., an Oklahoma limited liability company.

(Seal)


Notary Public
My Commission Expires: 6-19-2024
Commission # 20007373

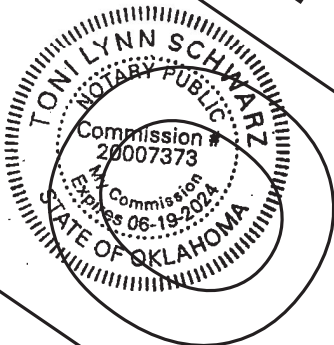


EXHIBIT A**Legal Description**

The fee simple real property located in Oklahoma County, State of Oklahoma, comprised of an area of airspace having both horizontal and vertical boundaries (collectively, the "***Airspace Fee Tract***"), which is more particularly described as follows:

Hotel Airspace Fee Tract Horizontal Dimensions:

The horizontal boundaries of the Airspace Fee Tract correspond exactly with the legal description of the **surface** real estate that is more particularly described in ***Schedule A-1***.

Hotel Airspace Fee Tract Vertical Dimensions:

The elevation of the lower limit of the vertical boundaries of the Airspace Fee Tract is 1246.75 feet, as established in accordance with the North American Vertical Datum of 1988 ("***NAVD88***"). The corners of the lower limits of the vertical boundaries of the Airspace Fee Tract are situated directly above the corresponding horizontal boundaries of the real estate described in ***Schedule A-1***, but within the elevation established in accordance with NAVD88. There are no upper limits of the vertical boundaries of the Airspace Fee Tract.

SCHEDULE A.1

359A

**Hotel Airspace Fee Tract
Horizontal Dimensions**

[see attached]

Schedule A-1 to Special Warranty Deed

A tract of land being a part of the Northwest Quarter (NW/4) of Section Thirty-four (34), Township Twelve (12) North, Range Three (3) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being a portion of Stiles Circle (platted The Circle), N.E. 8th Street, Harrison Avenue and Block Twenty-two (22) as shown on the plat MAYWOOD ADDITION recorded in Book 1 of plats, Page 20 being more particularly described as follows:

Commencing at the Northwest (NW) Corner of said Northwest Quarter (NW/4);

THENCE North 89°19'31" East, along and with the North line of said Northwest Quarter (NW/4), a distance of 1,903.15 feet to the extended East line of Block 10 of said MAYWOOD ADDITION;

THENCE South 00°03'06" East, along and with the extended East line of said Block 10, a distance of 298.13 feet to the Northeast (NE) Corner of said Block 10;

THENCE continuing South 00°03'06" East, along and with the East line of said Block 10 extended, a distance of 380.00 feet to the Northeast (NE) Corner of said Lot 1 Block 15;

THENCE continuing South 00°03'06" East, along and with the East line of said Lot 1, a distance of 13.97 feet;

THENCE North 89°58'03" East, departing said East line, a distance of 48.33 feet;

THENCE South 00°34'48" East, a distance of 157.58 feet;

THENCE North 89°25'06" East, a distance of 10.22 feet;

THENCE South 00°03'06" East, a distance of 132.36 feet;

THENCE on a non-tangent curve to the right having a radius of 47.00 feet, a chord bearing of South 14°05'32" East, a chord length of 55.66 feet and an arc length of 59.56 feet;

THENCE South 42°34'54" East, a distance of 57.38 feet to a point on the current North right-of-way line of Harrison Avenue;

THENCE along and with the North right-of-way line of Harrison Avenue the following four (4) calls:

1. South 66°29'09" West, a distance of 56.11 feet to the POINT OF BEGINNING;

Oklahoma City Planning Commission
Deed Approval # 27048

DEC 15 2022

2. continuing South 66°29'09" West, a distance of 116.08 feet;
3. South 62°45'50" West, a distance of 58.71 feet;
4. South 63°40'54" West, a distance of 21.57 feet to the East right-of-way line of Interstate 235;

THENCE North 61°43'03" West, along and with the East right-of-way line of Interstate 235, a distance of 42.73 feet;

THENCE North 25°34'54" West, departing said East right-of-way line, a distance of 92.71 feet;

THENCE South 64°25'06" West, a distance of 9.52 feet;

THENCE North 25°34'54" West, a distance of 33.08 feet;

THENCE North 64°25'06" East, a distance of 12.33 feet;

THENCE North 25°34'54" West, a distance of 16.08 feet;

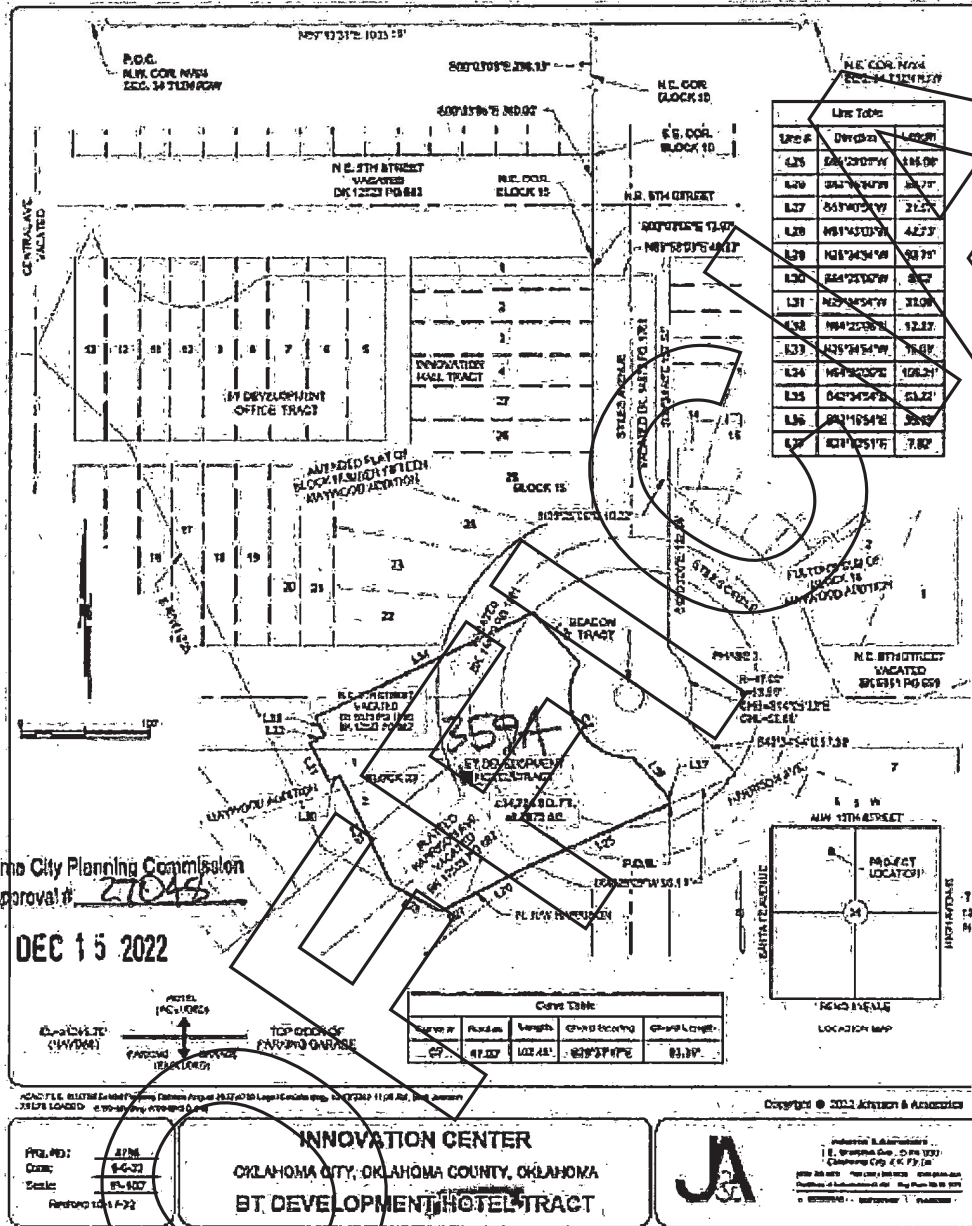
THENCE North 64°25'06" East, a distance of 186.21 feet;

THENCE South 42°34'54" East, a distance of 53.22 feet;

THENCE on a non-tangent curve to the left having a radius of 47.00 feet, a chord bearing of South 29°37'17" East, a chord length of 83.35 feet and an arc length of 102.48 feet;

THENCE South 42°16'54" East, a distance of 39.19 feet;

THENCE South 23°30'51" East, a distance of 7.92 feet to the POINT OF BEGINNING.



Oklahoma City Planning Commission
Deed Approval # 27045
DEC 15 2022

Schedule A-1 to Special Warranty Deed



After recording, return to:

Record & Return to:
American Eagle Title Group
421 NW 13th St., Suite 320
Oklahoma City, OK 73103
File # 2361-00060108

Reserved For Recording Information

CORRECTION SPECIAL WARRANTY DEED

BT DEVELOPMENT, L.L.C., an Oklahoma limited liability company ("**Grantor**"), for valuable consideration, the receipt of which is acknowledged, hereby grants, bargains, sells, and conveys unto **BT PHASE III, LLC**, an Oklahoma limited liability company ("**Grantee**"), whose mailing address is 204 N Robinson Ave Suite 700, Oklahoma City, OK 73102, the real property described on Exhibit A, together with all the improvements and appurtenances (the "**Property**"), and warrants the title to the Property to be free, clear, and discharged of and from all former grants, claims, charges, taxes, judgments, mortgages, and other liens or encumbrances of any nature granted by, through, or under Grantor, but not otherwise, and further subject to, and excepting and excluding from such warranty (a) all interests in oil, gas, casinghead gas, distillate, coal, metallic ores, and other minerals therein, thereon, or thereunder previously reserved or conveyed; and (b) those easements, rights of way, and restrictive covenants of record.

The purpose of this Correction Special Warranty Deed is to include the full legal name of the Grantee in the Special Warranty Deed dated December 12, 2022, and recorded January 5, 2023 in Book 15360, page 1309.

To have and to hold the Property unto Grantee, and Grantee's successors and assigns forever.


[** Not Subject to Oklahoma Documentary Stamp Tax – 68 Okla. Stat. § 3202(3)**]

[SIGNATURE PAGES FOLLOW]

Executed and delivered effective as of ~~December 23, 2022~~ ^{March 20, 2023}

GRANTOR:

BT DEVELOPMENT, L.L.C., an Oklahoma
limited liability company

By: 
Name: Mark Beffort
Title: Manager

ACKNOWLEDGMENT

STATE OF OKLAHOMA)

COUNTY OF OKLAHOMA)

ss:

This instrument was acknowledged before me on ~~January~~ ^{March} 20, 2023, by Mark Beffort,
Manager of BT DEVELOPMENT, L.L.C., an Oklahoma limited liability company.

(Seal)



Notary Public
My Commission Expires: 08/20/2025
Commission # 09007037



EXHIBIT A

LEGAL DESCRIPTION

[see attached]

UNOFFICIAL

LEGAL DESCRIPTION

Phase 3

August 5, 2022

Revised December 13, 2022

A tract of land being a part of the Northwest Quarter (NW/4) of Section Thirty-four (34), Township Twelve (12) North, Range Three (3) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being a portion of Stiles Circle (platted The Circle), and N.E. 8th Street as shown on the plat MAYWOOD ADDITION recorded in Book 1 of plats, Page 20, being more particularly described as follows:

Commencing at the Northwest (NW) Corner of said Northwest Quarter (NW/4);

THENCE North 89°19'31" East, along and with the North line of said Northwest Quarter (NW/4), a distance of 1,803.15 feet to the extended East line of Block 10 of said MAYWOOD ADDITION;

THENCE South 00°03'06" East, along and with the extended East line of said Block 10, a distance of 298.13 feet to the Northeast (NE) Corner of said Block 10;

THENCE continuing South 00°03'06" East, along and with the East line of said Block 10 extended, a distance of 380.00 feet to the Northeast (NE) Corner of said Lot 1 Block 15;

THENCE continuing South 00°03'06" East, along and with the East line of said Lot 1, a distance of 13.97 feet;

THENCE North 89°58'03" East, departing said East line, a distance of 48.33 feet;

THENCE South 00°34'48" East, a distance of 157.58 feet;

THENCE North 89°25'08" East, a distance of 10.22 feet;

THENCE South 00°03'06" East, a distance of 47.16 feet to a point on the centerline of said Stiles Circle, said point being the POINT OF BEGINNING;

THENCE along and with the centerline of said Stiles Circle on a non-tangent curve to the right having a radius of 125.00 feet, a chord bearing of South 50°07'10" East, a chord length of 109.77 feet and an arc length of 113.65 feet;

THENCE South 24°04'25" East, departing said centerline, a distance of 89.14 feet to a point on the current North right-of-way line of Harrison Avenue;

THENCE South 66°29'09" West, along and with the North right-of-way line of Harrison Avenue, a distance of 130.43 feet;

THENCE North 23°30'51" West, departing said North right-of-way line, a distance of 7.02 feet;

Prepared by Matthew Johnson P.L.S. 1607

Johnson & Associates

Certificate of Authorization No. 1484 (Expires 6-30-23)

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Oklahoma City Planning Commission

Deed Approval # 27049

DEC 15 2022

THENCE North 42°16'54" West, a distance of 39.19 feet;

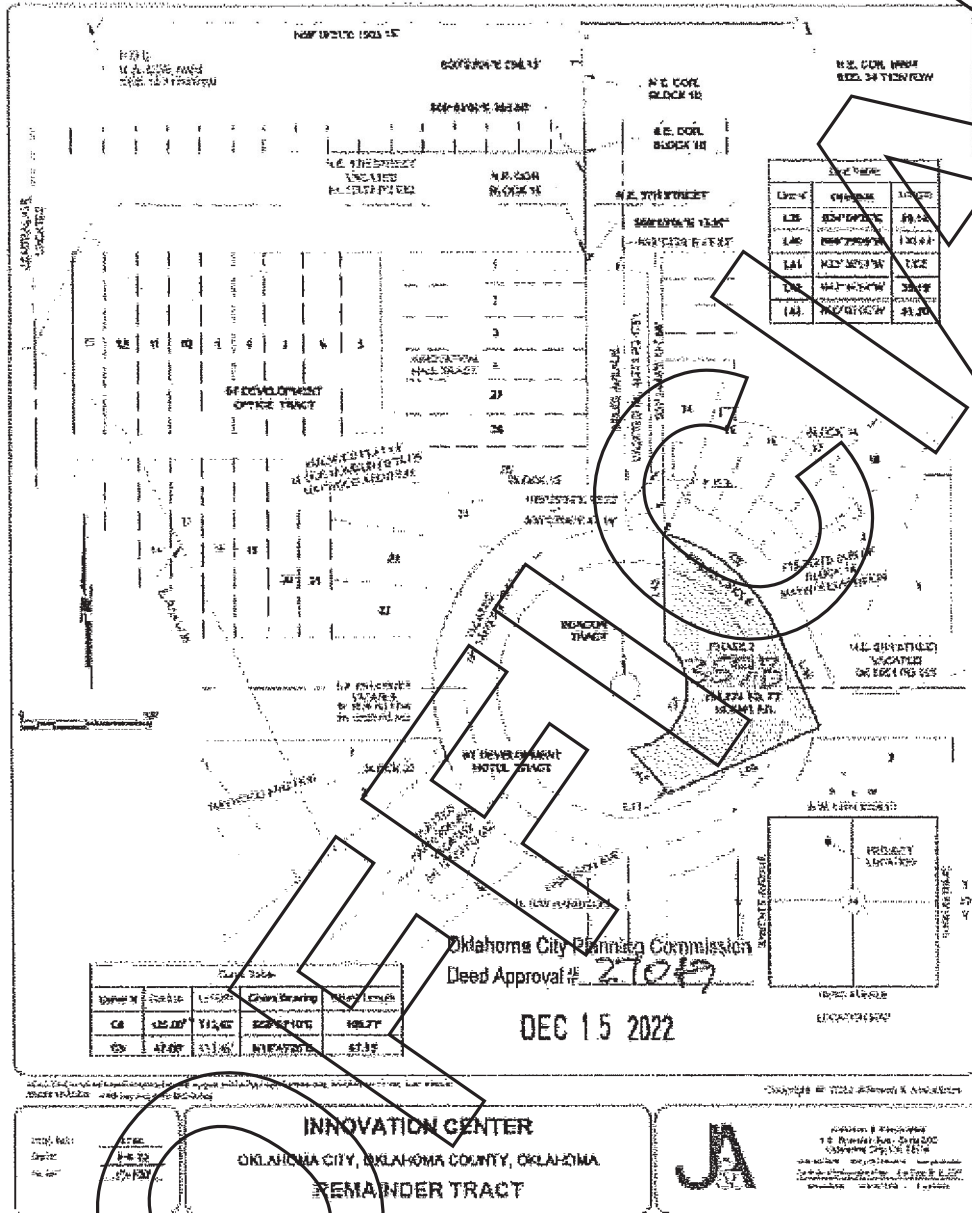
THENCE on a non-tangent curve to the left having a radius of 47.00 feet, a chord bearing of North 18°45'26" East, a chord length of 87.85 feet and an arc length of 113.46 feet;

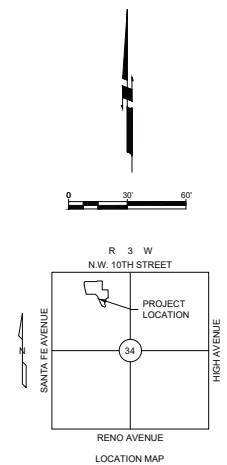
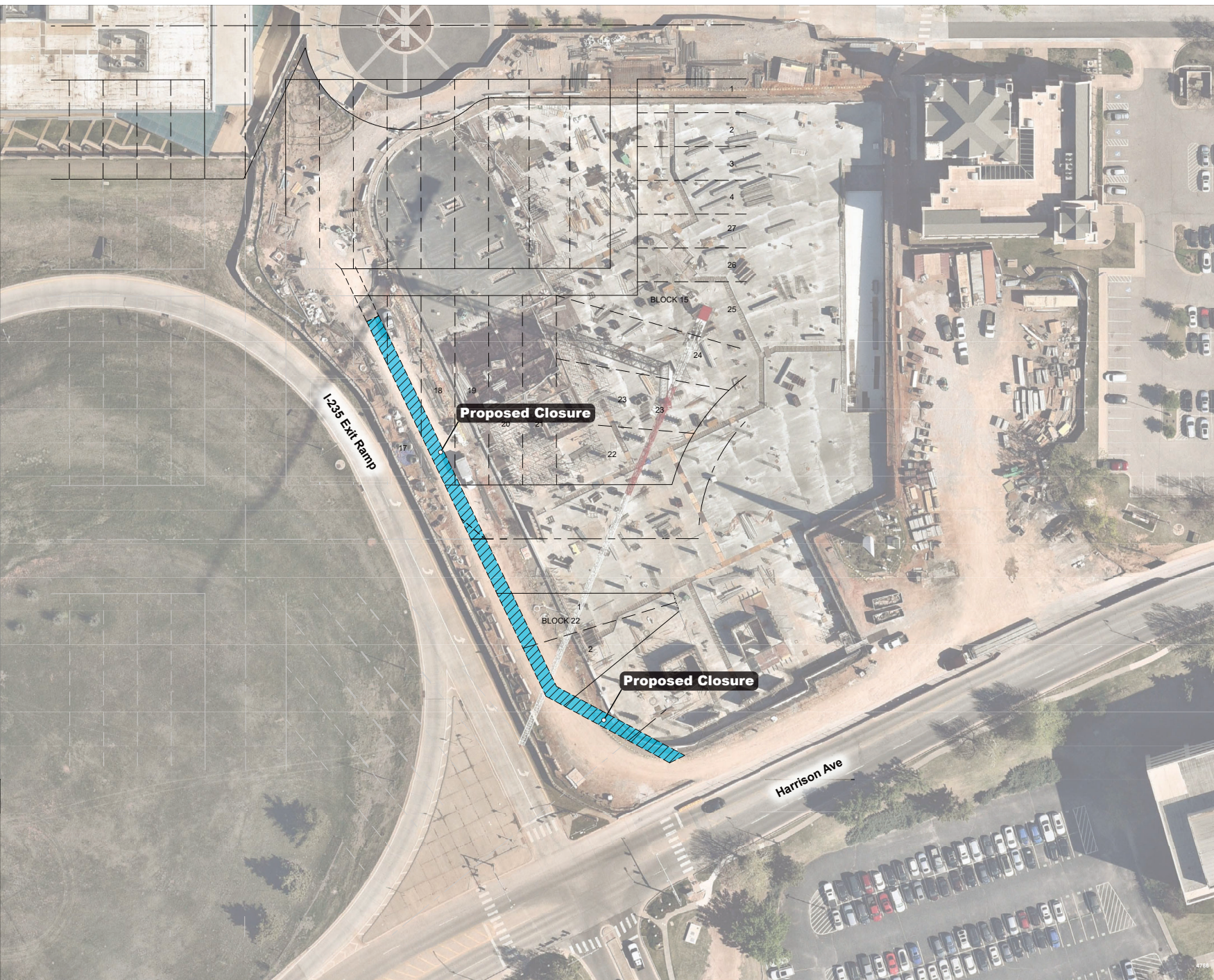
THENCE North 00°03'06" West, a distance of 65.20 feet to the POINT OF BEGINNING;

Containing 15,074 square feet or 0.3461 acres, more or less.

Basis of Bearing: Grid North as established by state plane datum (Oklahoma State Plane North Zone NAD83)

Prepared by Matthew Johnson P.L.S. 1607
Johnson & Associates
Certificate of Authorization No. 1464 (Expires 6-30-23)
S:\4786\Legal\Property Division (August 2022)\4786-Phase 3.docx





Innovation District Easement Closure

Closure Exhibit



Johnson & Associates
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
(405) 235-8075 FAX (405) 235-8076

ENGINEERS SURVEYORS PLANNERS

6/14/23