

September 8, 2012

Norman Planning Commission
201-A West Gray Street
Norman, OK. 73069

PROTEST FOR CLOSURE OF ALLEY EASEMENT

Dear Planning Commission:

Please consider this letter as a formal protest to the request by the Cleveland County Board of Commissioners to close the east-west alley easement from Peters Avenue to Jones Avenue between Eufaula and Symmes Street. As owners of the commercial buildings and parking lot that make up the entire east side of this block, we are protesting on two grounds. First, your notice is deficient in that it does not accurately describe the request for closure made by the Cleveland County Board of Commissioners. Second, allowing the Cleveland County Board of Commissioners to close the alley per their purported amended request will effect any future ability to expand our properties and/or affect any future requests to close the remaining parts of the ally.

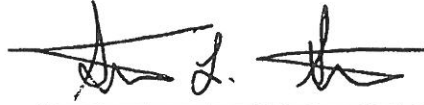
In a letter dated August 22, 2012 we received a letter from the Norman Planning Commission providing us with "Legal Notice" that the Cleveland County Board of Commissioners had submitted a request to close the entire aforementioned alley easement. Through conversations with your office and with Ms. Carol Dillingham, assistant district attorney representing the Cleveland County Board of Commissioners, we were advised that the *actual* request calls for closing the alley at a point 150 feet inward from both Peters and Jones Avenues. Thus, the notice provided by the City Planning Commission does not give "Legal Notice" of the affected properties. Should the County's request include the *entire* alley as described in this notice, we would withdraw our objection.

By requesting closure of the alley at a point 150 feet from both directions, the Cleveland County Board of Commissioners will create a necessity easement for the remainder of the alley as it pertains to the building located at 122 East Eufaula Street. (Hereinafter "The Community Works Building", formerly Cleveland County Abstract Company) ACS Enterprises, LLC. owns both sides of the subject alley at the east end. Future plans for development include requests of the City to close the subject alley at Peters Street. Should the Cleveland County Board of Commissioners be allowed to close the alley at the western property line edge of the Community Works Building, then the Community Works Building could not access the back of their property (south side of property) except by access to the alley. Said another way, ACS Enterprises LLC., shares the same situation as Cleveland County. We own property on both sides of the alley

easement. Closing only part of the alley affects the ingress and egress of surrounded properties.
We object to any closing of the alley unless it includes the entire alley easement.



Marty Coltrane
Member, ACS Enterprises, LLC.



Steven Stice
Member, ACS Enterprises, LLC

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/10/12 ML

September 10, 2012

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OF THE CITY CLERK
ON 9-10-12

City of Norman
201-A West Gray Street (P.O. Box 370)
Norman, OK 73069

RE: Notice of Request for Closure of Alley Easement

Dear Norman Planning Commission:

I am responding to the letter I received about closing the east-west alley easement from Peters Avenue to Jones Avenue between Eufaula Street and Symmes Street.

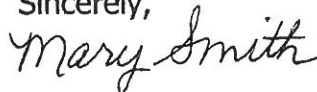
I am co-owner of the property at 104 East Eufaula Street that is doing business as the Smith Law Office, P.C. The attorney is my husband, Douglas J. Smith, and we lease our building for office space to three other attorney's - Keith Nedwick, Charles Douglas, and Edward Saheb.

I am writing to protest the alley easement closure. We do not want to lose access to our parking lot through the alley since we use both the alley's east entrance and the west entrance for our staff, attorneys and clients that park in the back of our building.

In addition, there should be codes for the city to have access to the alley in case of fire or other potential hazards and trash collection.

Again, this is to protest. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Mary Smith".

Mary Smith
Owner

September 10, 2012

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-10-12

City of Norman
201-A West Gray Street (P.O. Box 370)
Norman, OK 73069

RE: **Protest of Closure of Alleyway Between Peters & Jones**

To: Norman Planning Commission

I hereby formally protest the request by the Cleveland County Board of Commissioners to close the east-west alley easement from Peters Avenue to Jones Avenue.

I own the law office building located at 104 East Eufaula. In the back of my building is the parking lot for my building. There is parking for approximately 12-15 vehicles. My tenants, myself, as well as clients use this parking lot throughout the week. They all use the Peters and Jones alley entrances to come in, park and later to exit.


I would think that there are fire codes that would prohibit the blocking of an alley for emergency vehicles to have access through the alley to fight potential fires up and down the alley.

My building also needs access to put trash in the dumpster in the alley, and the trash truck needs access to empty the trash dumpster weekly.

One of the main reasons I purchased the building was that I was attracted to the idea of having my own parking lot with easy access in and out of the alley. Previously, my office was on Main Street, and we were dealing with the meter maids every day.

I strongly protest the closing of the alleyway as it would strip me of my use to the parking lot and it would be an undue burden on me. The closing of the alley would take away the use of my parking lot and substantially affect the value of my property.

Sincerely,


Douglas J. Smith

SHAEFFER LAW BUILDING
BIG BROTHER BAIL BONDS
102 E. Eufaula
Norman, OK 73069

September 10, 2012

**PROTEST OF CLOSURE OF ALLEYWAY BETWEEN
PETERS AND JONES STREET**

I, Fred J. Shaeffer and Tony Shirk, hereby formally protest the request by the Cleveland County Board of Commissioners to close the east-west alley easement from Peters Avenue to Jones Avenue. (said legal description is set forth in attached Exhibit A and incorporated herein)

Tony Shirk and I own the law office and Bonding office building located at 102 E. Eufaula, Norman, Oklahoma.


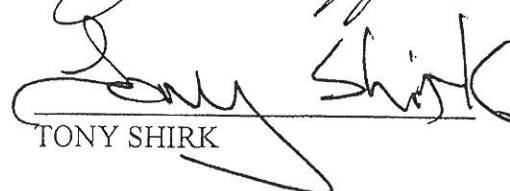
I assume there are fire codes because of the need that would prohibit the blocking of an alley for fire trucks to have access through the alley to fight any possible building fires adjacent to the alley.

Our building requires access to the trash dumpster in the alley and the trash truck needs access to pick up the trash and haul it off weekly.

We strongly protest the closing of the alleyway as it would interfere with our enjoyment of our property, cause a safety threat from fires, and would be an undue burden on our ownership and business. The closing of the alley would substantially effect the value of our property.

Respectfully,

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-10-12


FRED J. SHAEFFER

TONY SHIRK