

Ordinance No. _____

An ordinance closing a utility easement on a part of Lot 3, Block 4, Bristol Ponds, an addition to the City of Broken Arrow, being a part of the southeast quarter (SE/4) of Section Fifteen (15), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma; repealing all ordinances to the contrary; and declaring an emergency

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA:

SECTION I. The utility easement affecting the real estate described as follows:

A five-foot utility easement vacation being a part of Lot 3, Block 4, Bristol Ponds, an addition to the City of Broken Arrow, being a part of the southeast quarter (SE/4) of Section Fifteen (15), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, recorded as Plat Number 5917 and as Document 2005131022, in the Office of the Tulsa County Clerk. more particularly described as follows, to-wit:

Commencing at the Northeast corner of Lot 3, Block 4 of Bristol Ponds, an addition to the City of Broken Arrow, being a part of the southeast quarter (SE/4) of Section Fifteen (15), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, recorded as Plat Number 5917 and as Document 2005131022, in the Office of the Tulsa County Clerk; thence S 22° 23' 53" E, along the east line of said Lot 3, Block 4, a distance of 11.01 feet, to the point of intersection of the south line of a platted 11 foot utility easement and the east line of said Lot 3, said intersection being the point of beginning; thence continuing S 22° 23' 53" E, continuing along the east line of said Lot 3 and the east line of a platted 5 foot utility easement, a distance of 93.77 feet, to the intersection of the east line of said Lot 3 and the north line of a platted 20 foot building line and utility easement; thence S 67° 34' 53" W, along the north line of said 20 foot building line and utility easement, a distance of 5.00 feet, to the west line of a platted 5 foot utility easement; thence N 22° 23' 53" W, parallel with and 5.00 feet west of the east line of said Lot 3 and along the west line of said 5 foot utility easement, a distance of 93.77 feet, to a point on the south line of said platted 11 foot utility easement; thence N 70° 00' 00" E, along last said south line, a distance of 5.00 feet to the point of beginning. Said tract of land containing 0.011 acres / 468.303 square feet;

is not presently in use, and is hereby closed. Provided that the City reserves the right to reopen this utility easement in the event it is needed in the future, without the necessity to pay the owner or their successors for the reopening of this utility easement.

SECTION II. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION III. An emergency exists for the preservation of the public health, peace and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

PASSED AND APPROVED and the emergency clause ruled upon separately this ____ day of _____, 2016.

ATTEST:

MAYOR

(Seal) CITY CLERK

APPROVED:

ASSISTANT CITY ATTORNEY