

Ordinance No. _____

An ordinance closing a Storm Water Drainage Easement on property located in the Southwest Quarter of the Southwest Quarter (SW/4 SW/4) (Lot Four) of Section Thirty (30), Township Eighteen (18) North, Range Fourteen (14) East, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located north of the W. Florence Street and east of S. Mingo Road; 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 storm water drainage easement located in the Southwest Quarter of the Southwest Quarter (SW/4 SW/4) (Lot Four) of Section Thirty (30), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, more particularly described as follows, To-wit:

Commencing at the Southwest corner of said SW/4 SW/4 of Section 30; thence N00°00'00"E along the West boundary of said SW/4 SW/4 a distance of 1323.10 feet to the Northwest corner of said SW/4 SW/4; thence N89°53'01"E along the North boundary of said SW/4 SW/4 a distance of 24.75 feet; thence S00°00'00"W and parallel with the West boundary of said SW/4 SW/4 a distance of 287.47 feet to the Point of Beginning; thence N90°00'00"E a distance of 25.25 feet; thence N84°00'37"E a distance of 219.61 feet; then N12°33'06"E a distance of 271.62 feet to a point on the North line of said SW/4 SW/4; thence N89°53'01"E along the North line of said SW/4 SW/4 a distance of 79.88 feet; thence S8°44'48"W a distance of 249.18 feet; thence S27°54'39"W a distance of 104.06 feet; thence S14°08'57"E a distance of 23.94 feet; thence along a curve to the right having a radius of 275.00 feet (chord bearing: S82°55'32"W) a distance of 67.89 feet; thence N90°00'00"W a distance of 27.44 feet; thence S8°00'24"W a distance of 91.01 feet; thence N82°08'14"W a distance of 40.00 feet; thence N8°00'24"E a distance of 85.72 feet; thence along a curve to the right having a radius of 150.00 feet (chord bearing: N80°06'05"W) a distance of 35.08 feet; thence along a curve to the left having a radius of 150.00 feet (chord bearing: N81°42'04"W) a distance of 43.45 feet; thence N90°00'00"W a distance of 89.49 feet to a point being 24.75 feet East of the West boundary of said SW/4 SW/4; thence N00°00'00"E and parallel to the West boundary of said SW/4 SW/4 a distance of 69.08 feet to the Point of Beginning. Said easement containing 1.25 acres more or less.

This storm water drainage easement 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