

Ordinance No. _____

An ordinance closing a utility easement on property located on the westerly portion of Lot 1, Block 4, Berwick on Cedar Ridge, Blocks 2, 3, 4, 5, and 6, a subdivision in the City of Broken Arrow, Tulsa County, Oklahoma, generally located east of Mingo Road and one-quarter mile north of Florence Street; 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:

LEGAL DESCRIPTION FOR EASEMENT CLOSURE

A PORTION OF THE PLATTED 20.00 FEET WIDE UTILITY EASEMENT COVERING THE WESTERLY PORTION OF LOT 1, BLOCK 4, BERWICK ON CEDAR RIDGE, BLOCKS 2, 3, 4, 5 & 6, A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 1, BLOCK 4; THENCE SOUTH 51°15'53" EAST 20.17 FEET; THENCE NORTH 45°02'22" EAST 11.07 FEET TO THE POINT OF BEGINNING; THENCE NORTH 51°15'53" WEST 7.03 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 338.00 FEET, AN ARC LENGTH OF 20.05 FEET, A CHORD BEARING OF NORTH 42°31'59" EAST AND A CHORD LENGTH OF 20.04 FEET; THENCE SOUTH 51°15'53" EAST 7.00 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 345.00 FEET, AN ARC LENGTH OF 20.05 FEET, A CHORD BEARING OF SOUTH 42°27'21" WEST AND A CHORD LENGTH OF 20.04 FEET TO THE POINT OF BEGINNING.

BASIS FOR BEARINGS ARE PER THE RECORDED PLAT.

THE LEGAL DESCRIPTION HEREON WAS PREPARED BY ANDY FRITZ, PLS ON APRIL 22, 2015. THE DESCRIPTION IS AN ACCURATE REPRESENTATION OF THE EXISTING CONDITIONS AND MATHEMATICALLY CLOSES.

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 Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.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 _____, 2015.

ATTEST:

MAYOR

(Seal) CITY CLERK

APPROVED:

DEPUTY CITY ATTORNEY