

Ordinance No. \_\_\_\_\_

**An ordinance closing all utility easements on property located in Part of Lot Two (2), Block One (1), Tiger Plaza, a subdivision in the City of Broken Arrow, Wagoner County, State of Oklahoma, generally located north of Kenosha and east of 23<sup>rd</sup> 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 easements affecting the real estate described as follows:

All **Utility Easements (U/E)** depicted on the **Plat**, and as and to the extent dedicated according to the terms of the **Deed of Dedication**, of **“Tiger Plaza, an Addition to the City of Broken Arrow, Wagoner County, State of Oklahoma,”** filed for record on **12 October 2001** in the Office of the County Clerk of Wagoner County, Oklahoma, maintained in **Plat Cabinet 4 at Page 394**, situated only within the following described portion of **Lot Two (2), Block One (1), TIGER PLAZA**, described as follows:

Beginning at a point that is a platted corner of said Lot 2, Block 1, TIGER PLAZA, the same corner also being the Northwest Corner of Lot One (1), Block One (1), AMENDED PLAT OF WAGONER COUNTY LINE PLAZA, an Addition to the City of Broken Arrow, Wagoner County, State of Oklahoma, according to the recorded Plat thereof; thence North 01°19'23" West along a westerly line of said Lot 2 for 86.00 feet to a platted corner of said Lot 2, Block 1, TIGER PLAZA, the same corner also being the Southwest corner of Lot 5, Block 1, TIGER PLAZA; thence North 88°51'54" East along the southerly line of said Lot 5 and an easterly extension thereof for 233.00 feet; thence South 01°19'23" East along the northerly extension of the easterly line of said Lot 1, Block 1, AMENDED PLAT OF WAGONER COUNTY LINE PLAZA, for 86.00 feet to a platted corner of said Lot 2, Block 1, TIGER PLAZA, the same corner also being the Northeast corner of said Lot 1, Block 1, AMENDED PLAT OF WAGONER COUNTY LINE PLAZA; thence South 88°51'54" West along the Northerly line of said Lot 1, Block 1, AMENDED PLAT OF WAGONER COUNTY LINE PLAZA, for 233.00 feet to the Point of Beginning of said Tract of Land;

AND

The portion of the **22' Sewer Line Easement** granted to the City of Broken Arrow, Oklahoma, dated **15 April 1993**, filed for record on **29 April 1993** in the Office of the County Clerk of Wagoner County, Oklahoma, recorded in **Book 838 at Page 1**, as described in the instrument, limited to the portion thereof situated only within the following described portion of **Lot Two (2), Block One (1), “Tiger Plaza, an Addition to the City of Broken Arrow, Wagoner County, State of Oklahoma,”** filed for record on **12 October 2001** in the Office of the County

Clerk of Wagoner County, Oklahoma, maintained in **Plat Cabinet 4 at Page 394**, more particularly described as follows:

Beginning at a point that is a platted corner of said Lot 2, Block 1, TIGER PLAZA, the same corner also being the Northwest Corner of Lot One (1), Block One (1), AMENDED PLAT OF WAGONER COUNTY LINE PLAZA, an Addition to the City of Broken Arrow, Wagoner County, State of Oklahoma, according to the recorded Plat thereof; thence North 01°19'23" West along a westerly line of said Lot 2 for 86.00 feet to a platted corner of said Lot 2, Block 1, TIGER PLAZA, the same corner also being the Southwest corner of Lot 5, Block 1, TIGER PLAZA; thence North 88°51'54" East along the southerly line of said Lot 5 and an easterly extension thereof for 233.00 feet; thence South 01°19'23" East along the northerly extension of the easterly line of said Lot 1, Block 1, AMENDED PLAT OF WAGONER COUNTY LINE PLAZA, for 86.00 feet to a platted corner of said Lot 2, Block 1, TIGER PLAZA, the same corner also being the Northeast corner of said Lot 1, Block 1, AMENDED PLAT OF WAGONER COUNTY LINE PLAZA; thence South 88°51'54" West along the Northerly line of said Lot 1, Block 1, AMENDED PLAT OF WAGONER COUNTY LINE PLAZA, for 233.00 feet to the Point of Beginning of said Tract of Land.

are 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 7<sup>th</sup> day of November, 2017.

ATTEST:

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MAYOR

\_\_\_\_\_  
(Seal) CITY CLERK

APPROVED:

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ASSISTANT CITY ATTORNEY