

Ordinance No. _____

An ordinance closing an overland drainage easement on property located north and west of the northwest corner of Dearborn Street and 37th Street, Wagoner County, State of Oklahoma, (Section 19, T19N, R15E); 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 detention easement affecting the real estate described as follows:

Tract 1

A tract of land **Beginning** at a point on the south line and 955.46 feet west of the Southeast corner of said Section Nineteen (19); Thence N 89°49'42" W and along the southerly line a distance 302.00 feet; Thence N 0°10'18" E and perpendicular to the Southerly line a distance of 50.00 feet; Thence N 44°49'42" W a distance of 35.36 feet; Thence N 0°10'18" E and perpendicular to the Southerly line, a distance of 270.00 feet; Thence S 89°49'42" E and parallel with the Southerly line a distance of 388.73 feet; Thence S 0°15'12" W a distance of 142.78 feet; Thence S 89°39'14" W a distance of 64.06 feet to a point; Thence S 0°32'55" E a distance of 201.67 feet to the **Point of Beginning**. Tract contains 2.75 acres less the South 50.00 feet thereof consisting of 0.35 acres for statutory and public right-of-way.

And

Tract 2

A tract of land **Beginning** at a point on the east line and 991.68 feet north of the Southeast corner of said Section Nineteen (19); Thence N 89°45'44" W and perpendicular to the easterly line a distance of 98.16 feet to a point; Thence S 41°52'50" W a distance of 238.96 feet to a point; Thence S 17°21'45" W a distance of 153.34 feet to a point; Thence S 31°28'40" W a distance of 175.44 feet to a point on the north line of Glen Eagles Commercial; Thence S 89°49'42" E and parallel with the south line of the Southeast Quarter (SE/4) a distance of 393.09 feet to the northeast corner of Glen Eagles Commercial; Thence N 0°14'16" E along the Easterly line of the Southeast Quarter (SE/4) a distance of 474.68 feet to the **Point of Beginning**. Tract contains 2.86 acres less the East 50.00 feet thereof consisting of 0.54 acres for statutory and public right of way.

SEE: PLAT OF SURVEY SHEET 1 OF 3

Tract 3

A tract of land **Beginning** at a point on the east line and 1755.59 feet north of the Southeast corner of said Section Nineteen (19); Thence N 89°45'44" W and perpendicular to the easterly line a distance of 67.50 feet to a point; Thence S 48°13'12" W a distance of 169.20 feet to a

point; Thence S 62°41'54" W a distance of 117.51 feet to a point; Thence S 05°00'26" W a distance of 103.29 feet to a point; Thence S 27°25'03" E a distance of 74.30 feet to a point; Thence S 61°49'58" W a distance of 83.58 feet to a point; Thence S 15°33'31" W a distance of 168.56 feet to the north Right-of-Way of East Gillette Street and a point in a curve; Thence southeast on a curve to the left having a radius of 725.00 feet and arc length of 205.50 feet, a delta 16°14'25", with a chord bearing of S 81°38'31" E and a chord length of 204.81 feet to a point of tangent; Thence S 89°45'44" E a distance of 111.80 feet to a point; Thence N 45°14'16" E a distance of 35.36 feet; Thence S 89°45'44" E a distance of 50.00 feet to the east line of the Southeast Quarter (SE/4); Thence N 00°14'16" E and along the east line of the Southeast Quarter (SE/4) a distance of 542.59 feet to the **Point of Beginning**. Said tract contains 3.62 acres, less the South and East 50.00 foot thereof consisting of 0.62 acres of statutory and public right-of way.

Tract 4

A tract of land **Beginning** at the northwest corner of Lot 2 Block 2 of Glen Eagles III subdivision; Thence S 61°33'17" E for a distance of 165.78 feet to the northeast corner of said Lot 2; Thence N 75°09'54" E away from said Glen Eagles III east line a distance of 56.47 feet to a point; Thence N 04°02'07" W a distance of 99.09 feet to a point; Thence N 66°36'12" W a distance of 115.93 feet to a point; Thence N 30°29'50" W a distance of 48.36 feet to a point; Thence S 70°05'16" W a distance of 47.38 feet to a point in a curve on the east Right-of-Way of North 35th Street; Thence southwest, on a curve to the right having a radius of 50.00 feet and an arc length of 52.84 feet, a delta 60°33'14", with a chord bearing of S 12°46'57" W and a chord length of 50.42 feet to a point of reverse curve; thence southeast, on a curve to the left having a radius of 25.00 feet and an arc length of 18.79 feet, a delta 43°04'10", with a chord bearing of S 21°31'54" E and a chord length of 18.35 feet to a point of tangent; Thence S 0°00'00" E a distance of 39.67 feet to the **Point of Beginning**. Said tract contains 0.56 acres more or less.

And

Tract 5

A tract of land **Beginning** at the northeast corner of Lot 9 Block 3 of Glen Eagles III subdivision; Thence S 0°03'26" W and along the east line of said Block 3 a distance of 322.21 feet; Thence S 89°51'55" E a distance of 250.00 feet; Thence S 24°37'26" E a distance of 109.68 feet; Thence N 62°22'34" E and away from said Right-of-Way a distance of 59.23 feet to a point; Thence N 13°04'52" W a distance of 37.69 feet to a point; Thence N 56°39'22" E a distance of 77.30 feet to a point; Thence N 07°04'40" W a distance of 51.81 feet to a point; Thence N 60°31'45" W a distance of 118.82 feet to a point; Thence S 32°05'43" W a distance of 73.54 feet to a point; Thence N 60°30'27" W a distance of 150.28 feet to a point; Thence N 23°49'13" E a distance of 87.21 feet to a point; Thence N 55°34'05" E a distance of 70.84 feet to a point; Thence N 03°21'54" W a distance of 84.68 feet to the south Right-of-Way of East Irvington Street and a point of curve; thence southwest on a curve to the right having a radius of 390.00 feet and arc length of 91.03 feet, a delta 13°22'24", with a chord bearing of S 83°26'53" W and a chord length of 90.82 feet to a point; Thence continuing along said right-of-way N 89°51'55" W a distance of 122.64 feet to the **Point of Beginning**. Said tract contains 1.90 acres more or less.

SEE: PLAT OF SURVEY SHEET 2 OF 3

Tract 6

Beginning at a point 889.64 feet west of the northeast corner of the Southeast Quarter of said Section Nineteen (19) and Northeast corner of Lot 5 Block 1 of Glen Eagles II subdivision; Thence S 00°03'26" W along the east line of said Glen Eagles II distance of 512.13 feet to the southeast corner of Lot 1 Block I and a point on the north Right-of-Way of East Irvington Street; Thence N 89°51'55" E a distance of 26.64 feet to a point of curve; Thence northeast on a curve to the left having a radius of 330.00 feet and arc length of 58.76 feet, a delta 10°12'09", with a chord bearing of N 85°02'02" E and chord length of 58.68 feet to a point of tangent; Thence N 00°02'58" W a distance of 23.45 feet to a point; Thence N 78°30'04" E a distance of 51.79 feet to a point; Thence S 02°04'20" W a distance of 22.57 feet to a point; Thence N 76°45'40" E a distance of 97.26 feet to a point of curve; Thence northeast on a curve to the right having a radius of 390.00 feet and arc length of 215.23 feet, a delta 31°37'13", with a chord bearing of N 87°25'42" E and chord length of 212.51 feet to a point of tangent; Thence N 24°29'36" E and away from said Right-of-Way a distance of 193.46 feet to a point; Thence N 00°40'31" E a distance of 183.09 feet to a point; Thence N 36°13'32" E a distance of 151.95 feet to a point on the north line of the Southeast Quarter (SE/4); Thence N 89°51'55"W along said north line a distance of 613.86 feet to the **Point of Beginning**. Said tract contains 5.74 acres more or less.

SEE: PLAT OF SURVEY SHEET 3 OF 3

is not presently in use, and is hereby closed. Provided that the City reserves the right to reopen this overland drainage 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 _____, 2018.

ATTEST:

MAYOR

(Seal) CITY CLERK

APPROVED:

ASSISTANT CITY ATTORNEY