

Ordinance No. _____

An ordinance closing a waterline 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 waterline 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 to the statutory right-of-way; thence S00°00'00"W and along said statutory right-of-way a distance of 356.55 feet to the Point of Beginning; thence N90°00'00"E a distance of 89.55 feet; thence along a curve to the right having a radius of 150.00 feet (chord bearing: S81°42'04"E) a distance of 43.45 feet; thence along a curve to the left having a radius of 150.00 feet (chord bearing: S81°42'04"E) a distance of 43.45 feet; thence N90°00'00"E a distance of 59.41 feet; thence along a curve to the left having a radius 300.00 feet (chord bearing: N78°33'00"E) a distance of 74.58 feet; thence along a curve to the left having a radius of 25.00 feet (chord bearing: N45°05'49"E) a distance of 35.41 feet; thence N4°31'19"E a distance of 12.07 feet; thence along a curve to the right having a radius of 175.00 feet (chord bearing: N13°27'51"E) a distance of 54.63 feet; thence along a curve to the left having a radius of 25.00 feet (chord bearing: N5°48'38"W) a distance of 24.62 feet; thence along a curve to the right having a radius of 52.00 feet (chord bearing: N44°34'49"E) a distance of 142.69 feet; thence along a curve to the left having a radius of 25.00 feet (chord bearing: S85°01'43"E) a distance of 24.62 feet; thence along a curve to the right having a radius of 175.00 feet (chord bearing: N78°19'08"E) a distance of 70.65 feet; thence N89°53'01"E and parallel with the North boundary of said SW/4 SW/4 a distance of 251.48 feet; thence N00°06'59"W a distance of 124.98 feet to a point on the North boundary of said SW/4 SW/4 a distance of 251.48 feet; thence N00°06'59"W a distance of 124.98 feet to a point on the North boundary of said SW/4 SW/4; thence N89°53'01"E along the North boundary of said SW/4 SW/4 a distance of 11.00 feet; thence S00°06'59"E a distance of 99.99 feet; thence along a curve to the left having a radius of 25.00 feet (chord bearing: S45°06'58"E) a distance of 39.27 feet; thence S00°00'00"E a

distance of 11.00; thence S89°53'01"W and parallel with the North boundary of said SW/4 SW/4 a distance of 287.45 feet; thence along a curve to the left having a radius of 164.00 feet (chord bearing: S78°19'08"W) a distance of 66.21 feet; thence along a curve to the right having a radius of 36.00 feet (chord bearing: S85°01'43"W) a distance of 35.46 feet; thence along a curve to the left having a radius of 41.00 feet (chord bearing: S44°34'49"W) a distance of 112.50 feet; thence along a curve to the right having a radius of 36.00 feet (chord bearing: S5°48'38"E) a distance of 35.46 feet; thence along a curve to the left having a radius of 164.00 feet (chord bearing: S13°27'51"W) a distance of 51.19 feet; thence S4°31'19"W a distance of 12.07 feet; thence along a curve to the right having a radius of 36.00 feet (chord bearing: S45°05'49"W) a distance of 50.99 feet; thence along a curve to the left having a radius of 289.00 feet (chord bearing: S78°33'00"W) a distance of 71.85 feet; thence S71°25'41"W a distance of 64.28 feet; thence along a curve to the right having a radius of 286.00 feet (chord bearing: S80°42'51"W) a distance of 92.70 feet; thence N90°00'00"W a distance of 59.41 feet; thence along a curve to the right having a radius of 161.00 feet (chord bearing: N81°42'04"W) a distance of 46.64 feet; thence along a curve to the left having a radius of 139.00 feet (chord bearing: N81°42'04"W) a distance of 40.27 feet; thence N90°00'00"W a distance of 89.55 feet to the 24.75 foot statutory right-of-way of said Section Thirty (30); thence N00°00'00"E along said statutory right-of-way a distance of 11.00 feet to the Point of Beginning. Said easement containing 0.32 acres more or less.

This waterline 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