

**Ordinance No. 3353**

**An ordinance closing a utility easement on property located on part of Lot Five (5), Block Three (3), Kenwood Hills Second Addition, an addition to the City of Broken Arrow, Oklahoma, generally located at one-quarter mile north of Kenosha Street and one-third mile west of Elm Place (Kenwood Hills Second Addition); 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 PART OF LOT FIVE (5), BLOCK THREE (3), KENWOOD HILLS SECOND ADDITION, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE DUE EAST A DISTANCE OF 78.28 FEET TO A POINT ON THE WEST LINE OF A 5 FOOT EASEMENT; THENCE S 41°57'30" E ALONG WEST LINE OF SAID EASEMENT A DISTANCE OF 6.72 FEET; THENCE DUE WEST A DISTANCE OF 82.77 FEET TO A POINT ON THE WEST LINE OF SAID LOT 5; THENCE DUE NORTH ALONG THE WEST LINE OF SAID LOT 5 A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

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**SECTION II.** Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.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 7<sup>th</sup> day of July, 2015.

ATTEST:

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MAYOR

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(Seal) CITY CLERK

APPROVED:

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DEPUTY CITY ATTORNEY