

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

**An ordinance closing a utility easement on property located on a part of Reserve 'A' and Lots 4 and 5 of Block 1, 61<sup>st</sup> Street Industrial Park, an addition to the City of Broken Arrow, being a subdivision of part of the Government Lot 3 of Section Four 4, Township Eighteen North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, generally located one-half mile south of West Albany Street, east of North Olive Avenue; 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 PART OF RESERVE 'A' AND LOTS 4 AND 5 OF BLOCK 1, 61ST STREET INDUSTRIAL PARK, AN ADDITION TO THE CITY OF BROKEN ARROW, BEING A SUBDIVISION OF PART OF THE GOVERNMENT LOT 2 OF SECTION FOUR (4), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, RECORDED AS PLAT NUMBER 5597, IN THE OFFICE OF THE TULSA COUNTY CLERK.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF RESERVE 'A' OF 61ST STREET INDUSTRIAL PARK, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, RECORDED AS PLAT NO. 5597, IN THE OFFICE OF THE TULSA COUNTY CLERK; THENCE S 00° 03' 08" E, ALONG THE WEST LINE OF SAID RESERVE 'A' AND CONTINUING ALONG THE WEST LINE OF LOT 4, BLOCK 1, AND CONTINUING ALONG THE WEST LINE OF LOT 5, BLOCK 1, ALL OF SAID 61ST STREET INDUSTRIAL PARK, A DISTANCE OF 478.00 FEET; THENCE N 89° 56' 58" E A DISTANCE OF 11.00 FEET; THENCE N 00° 03' 08" W, PARALLEL WITH THE WEST LINE OF SAID LOTS 5 AND 4 AND RESERVE 'A', A DISTANCE OF 478.00 FEET, TO A POINT ON THE NORTH LINE OF SAID RESERVE 'A'; THENCE S 89° 56' 58" W, ALONG THE NORTH LINE OF SAID RESERVE 'A', A DISTANCE OF 11.00 FEET, TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 0.1207 ACRES / 5,258.00 SQUARE FEET.

THE BASIS OF BEARINGS FOR SAID TRACT IS S 00° 03' 08" E ALONG THE WEST LINE OF RESERVE 'A' OF 61ST STREET INDUSTRIAL PARK, AN ADDITION TO THE CITY OF BROKEN ARROW, BEING A SUBDIVISION OF PART OF THE GOVERNMENT LOT 2 OF SECTION FOUR (4), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF

OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, RECORDED AS PLAT NUMBER 5597, IN THE OFFICE OF THE TULSA COUNTY CLERK.

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 20<sup>th</sup> day of October, 2015.

ATTEST:

\_\_\_\_\_  
MAYOR

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

APPROVED:

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ASSISTANT CITY ATTORNEY