

RESOLUTION NO. 904

A RESOLUTION AUTHORIZING THE LEGAL DEPARTMENT TO FILE AN ANSWER AGREEING TO VACATE THE STEELE-MORRELL CENTER PLAT AND PART OF THE ARROW VILLAGE PLAT, GENERALLY LOCATED ON 71ST STREET (KENOSHA STREET) AND 14TH STREET, AND WAIVING ANY OBJECTIONS TO THE PETITION TO VACATE AS CONSISTENT WITH THE REQUIREMENTS FOR THE APPROVAL OF PUD 243 AND BAZ 1946, IN THE MATTER OF COLLISION WORKS PROPERTIES, LLC V. CITY OF BROKEN ARROW, TULSA COUNTY DISTRICT COURT CASE NO. CV-2016-0056

WHEREAS, on January 20, 2016, Collision Works Properties, LLC., an Oklahoma Limited Liability Company, filed a Petition to Vacate a platted tract pursuant to 11 O.S. § 42-102 in the District Court in and for Tulsa County, State of Oklahoma, Case No. CV-2016-0056; and

WHEREAS, Collision Works Properties, LLC is the fee simple title owner of the following described real property located in the City of Broken Arrow, Tulsa County, State of Oklahoma, to-wit:

A tract of land that is "STEELE-MORREL CENTER," an Addition to the City of Broken Arrow, filed as Plat #3645, and a Part of Block Two (2) of "BLOCKS 1, 2, AND 3, ARROW VILLAGE ADDITION," an Addition to the City of Broken Arrow, filed as Plat #2352, and a Part of the Northeast Quarter of the Northwest Quarter (NE/4 NW/4) of Section Twelve (12), Township 18 North, Range 14 East of the Indian Meridian, Tulsa County, State of Oklahoma, said tract of land being more particularly described as follows:

BEGINNING at a point on the West line of Lot One (1), Block Two (2), of "BLOCKS 1, 2, AND 3 ARROW VILLAGE ADDITION: that is S 00°03'09" W a distance OF 161.26 feet from the Northwest corner of said Lot One (1), Block Two; Thence along the Oklahoma Department of Transportation Right of Way, N 06°53'11" E a distance of 147.31 feet; Thence continuing along said Right of Way, S 89°56'54" E a distance of 187.41 feet; Thence continuing along said Right of Way, N 00°02'53" E a distance of 7.87 feet to a point on the North line of Block One (1) of "STEELE-MORREL CENTER"; Thence with a curve to the right having a radius of 2804.79 feet, an arc length of 117.15 feet, a central angle of 02°23'35", a chord bearing of S 84°39'54" E, and a chord length of 117.14 feet to the Northwest Corner of Lot One (1), Block Three (3) of "SENTINEL INDUSTRIAL PARK", an addition to the City of Broken Arrow, filed as Plat #3949; thence along the West line of said Block Three (3) of "SENTINEL INDUSTRIAL PARK," S 00°03'09" W a distance of 498.43 feet to the Southwest corner of Lot Four (4), Block Three (3) of "SENTINEL INDUSTRIAL PARK"; Thence along the Northerly line of Lot Five (5), Block three (3) and continuing along the Southerly line of Block (1) of "STEELE-MORREL CENTER," S 89°30'17" W a distance of 156.60 feet to the Southwest Corner of Lot One (1), Block One (1), "STEELE-MORREL CENTER"; Thence along the Westerly line of Lot One (1) Block One (1), "STEELE-MORREL CENTER", N 00°03'09" E a distance of 268.60 feet to a point on the Southerly line of Lot One (1), Block Two (2) of "BLOCKS 1, 2, & 3, ARROW VILLAGE ADDITION"; Thence N 83°34'21" W a distance of 173.30 feet to the Southwest corner of Lot

One (1), Block (2) of “BLOCKS 1, 2, & 3, ARROW VILLAGE ADDITION”; Thence with a curve to the left having a radius of 330.00 feet, an arc length of 69.24 feet, a central angle of 12°01’19”, a chord bearing of N 06°03’49” E, and a chord length of 69.11 feet to the POINT OF BEGINNING.

WHEREAS, Collision Works Properties, LLC’s property described above includes all of the land platted for municipal purposes as STEELE-MORREL CENTER, a re-sub of part of Lot 1, Block 2, Arrow Village Addition, an Addition to the City of Broken Arrow, Tulsa County, Oklahoma, and part of the NE/4 of the NW/4 of Section 12, T18N, R14E, and dedicated by that certificate of dedication dated August 30, 1976, and recorded in the office of the Tulsa County Clerk as Plat No. 3645; and

WHEREAS, Collision Works Properties, LLC described above also includes part of the land platted for municipal purposes as Lot One (1), Block Two (2) of Blocks One (1), Two (2) and Three (3), Arrow Village Addition, an addition to the City of Broken Arrow, Tulsa County, State of Oklahoma, according to the recorded plat thereof and dedicated by Deed of Dedication, dated March 9, 1961 and recorded in the office of the Tulsa County Clerk on March 10, 1961, as Plat No. 2353; and

WHEREAS, Collision Works Properties described above, including Steele-Morrell Center Plat and part of the Arrow Village Addition Plat will be replatted and dedicated as Collision Works Addition, an Addition to the City of Broken Arrow, State of Oklahoma, and as such neither Steele-Morrell Center, nor Blocks 1, 2, and 3, Arrow Village Addition are required for municipal purpose; and

WHEREAS, Collision Works Properties, LLC has complied with the requirements of 11 O.S. § 42-101 through 115.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA, that the City Attorney be, and is hereby directed to agree to file an Answer agreeing to vacate the Steele-Morrell Center Plat and part of the Arrow Village Plat in the case of *Collision Works Properties, LLC v. City of Broken Arrow, et al.*, Tulsa County District Court, Case No. CV-2016-0056, and entering into a Journal Entry of Judgment authorizing the vacation of plats 3645 and 2352.

ADOPTED and APPROVED by the Mayor of the Council of the City of Broken Arrow, Oklahoma this 2nd day of February, 2016.

ATTEST:

Mayor

City Clerk

REVIEWED as to for form and legality this 2nd day of February, 2016.

Deputy City Attorney