

Ordinance No. 3323

An Ordinance closing a utility easement on Lots 8 and 9, Block 3, Berwick Fairways II, a subdivision of the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located approximately one-half mile north of West Florence Street and east of South 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 10 FOOT WIDE UTILITY EASEMENT, AFFECTING THE EAST 5 FEET OF LOT 8 AND THE WEST 5 FEET OF LOT 9, BLOCK THREE (3), BERWICK FAIRWAYS II, A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 9, BLOCK 3; THENCE SOUTH 01°53'23" EAST 11.01 FEET TO THE POINT OF BEGINNING; THENCE NORTH 85°52'41" EAST 5.00 FEET; THENCE SOUTH 01°53'23" EAST 106.12 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE LEFT HAVING AN ARC DISTANCE OF 10.05 FEET, A RADIUS OF 950.00 FEET, A CHORD BEARING OF NORTH 86°00'39" WEST AND A CHORD DISTANCE OF 10.05 FEET; THENCE NORTH 01°53'23" WEST 104.70 FEET; THENCE NORTH 85°52'41" EAST 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 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 Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.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 20th day of January, 2015.

ATTEST:
Mary E. Bryce
(Seal) CITY CLERK

Richard M. Carter
Vice MAYOR

APPROVED:
Lesli Myers
DEPUTY CITY ATTORNEY