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**BROKEN ARROW CITY COUNCIL**

**MEETING OF: 12-17-07**

**TO: MAYOR AND CITY COUNCIL**  
**FROM: OFFICE OF THE CITY MANAGER**  
**SUBJECT: AN ORDINANCE CLOSING AN ALLEY RIGHT-OF-WAY ON LOTS 1 THROUGH 24, BLOCK 40, ORIGINAL TOWN OF BROKEN ARROW (BROADWAY AVENUE AND BIRCH STREET), TULSA COUNTY, STATE OF OKLAHOMA**

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**Background:** The owner of these properties is requesting closing the alley right-of-way as dedicated when platted. The underlying utility easement will remain as dedicated. The owners are planning to re-plat the properties and plan to make application for a multi-use occupancy which would include retail and office space. All utility companies and City Staff have agreed to the closure of the alley right-of-way. Utility services to the area will be located within other dedicated areas.

**Cost:** None

**Report Prepared By:** Michael Skates, Development Services Director

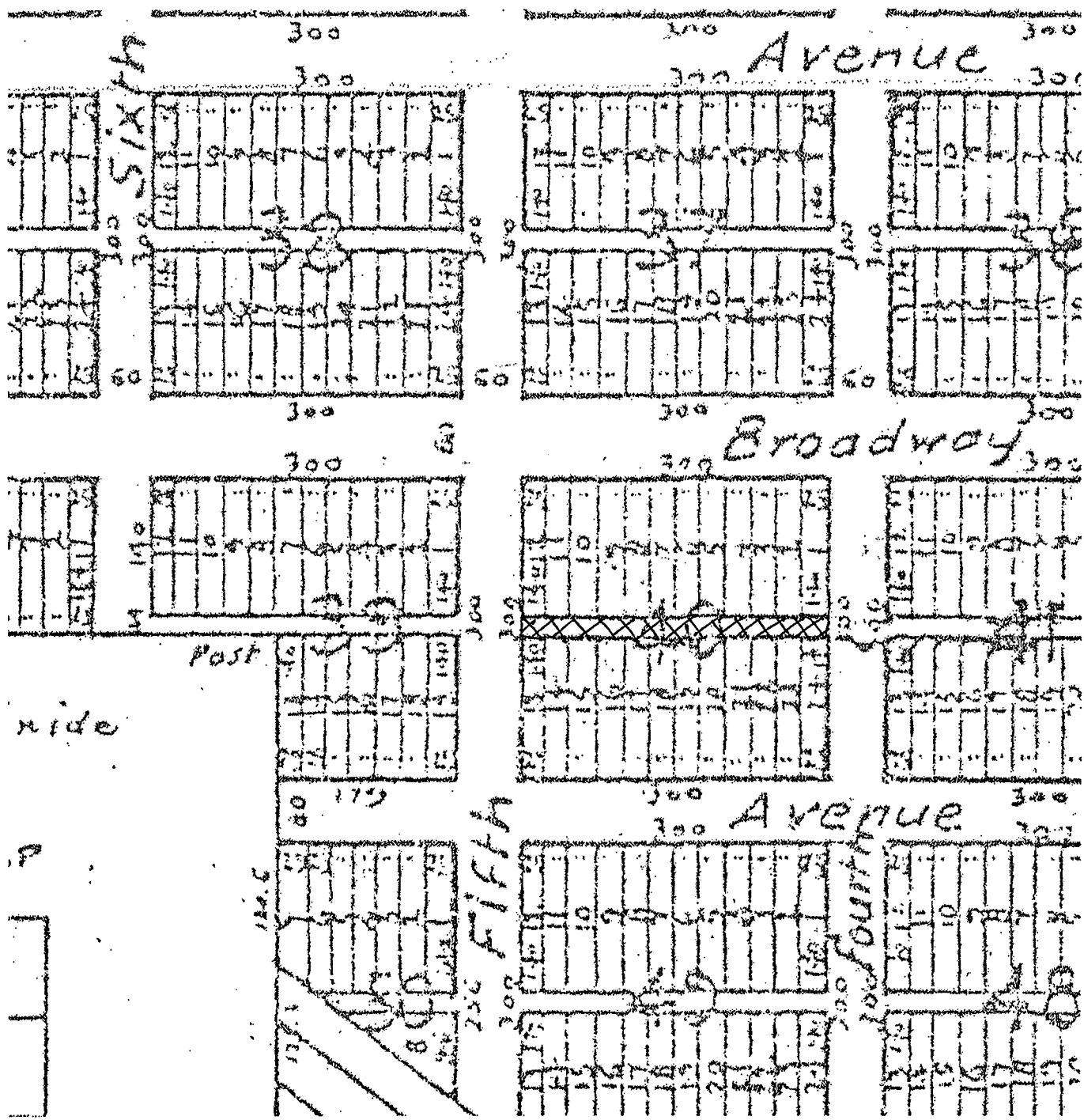
**Report Reviewed By:** Development Services  
Engineering and Construction  
Assistant City Manager

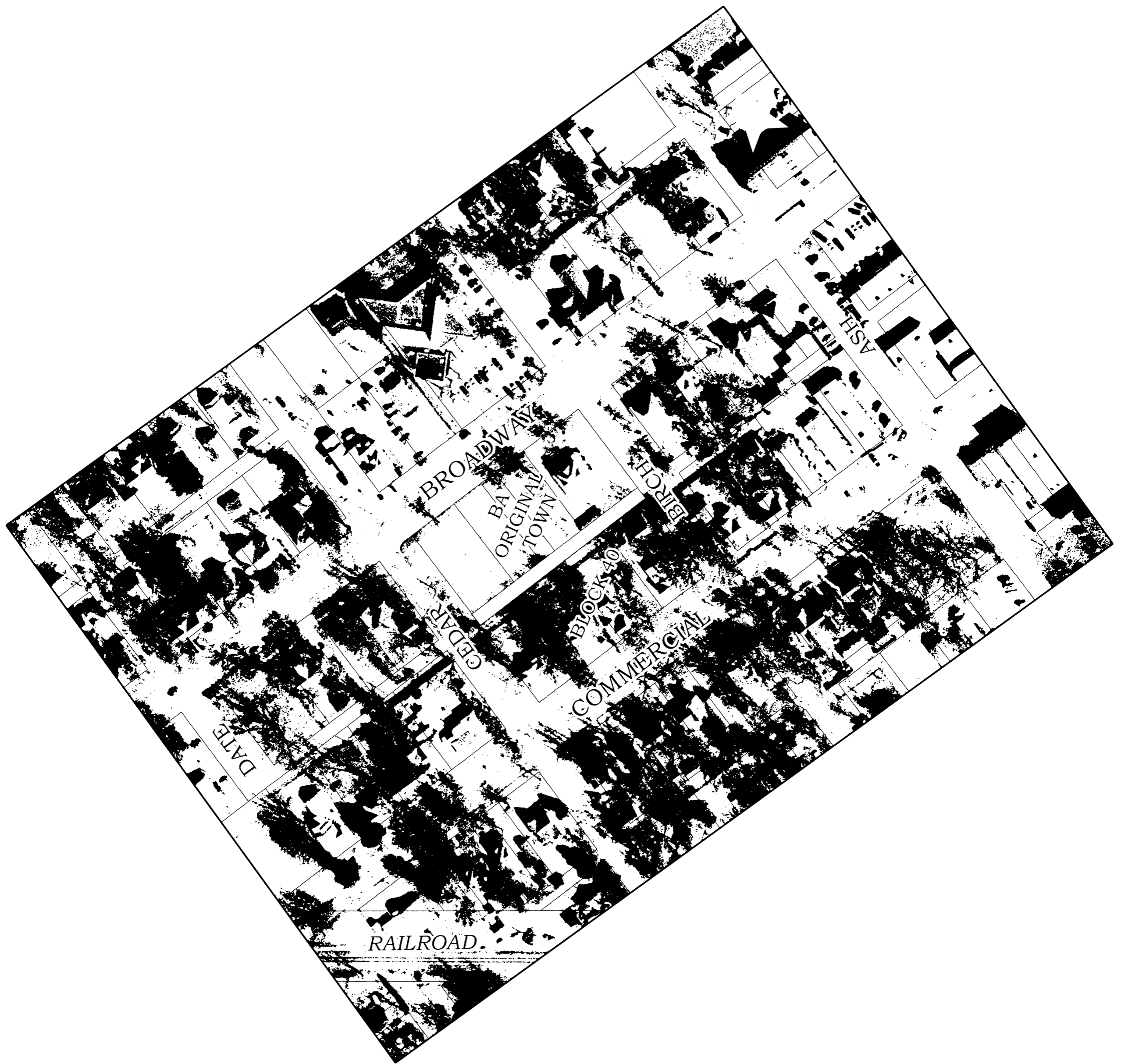
**Report Approved By:** James M. Twombly, City Manager

**Attachments:** Map (2)  
Aerial Map  
Ordinance

**Recommendation:** Adopt the ordinance.

JT:MWS/vko





BROADWAY  
BAY  
ORIGINAL  
TOWN

CEDAR

BLOCK 40

COMMERCIAL

BIRCH

ASH

RAILROAD

DATE

**ORDINANCE NO. 2932**

**An ordinance closing an alley right-of-way, located on Lots 1 through 24, Block Forty (40), Original Town of Broken Arrow, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, according to the recorded plat thereof, and providing for reservation of rights within the closed alley right-of-way.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA:

SECTION I. The alley right-of-way affecting the real estate described as follows:

Lots One (1) through Twenty-four (24), Block Forty (40), Original Town of Broken Arrow, Tulsa County, State of Oklahoma.

is not presently in use, and is hereby closed. Provided that the City reserves the right to reopen this alley right-of-way in the event it is needed in the future, without the necessity to pay the owner or his successors for the reopening of this alley right-of-way.

SECTION II. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION III. This ordinance shall become effective thirty (30) days after publication.

PASSED AND APPROVED this 17<sup>th</sup> day of December, 2007.

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MAYOR

ATTEST:

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(seal) CITY CLERK

APPROVED:

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CITY ATTORNEY