

Ordinance No. 3420

An ordinance closing a mutual road easement on property located in the Southwest Quarter of the Southwest Quarter (SW/4 SW/4) (Lot Four) of Section Thirty (30), Township Eighteen (18) North, Range Fourteen (14) East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, generally located north of the West Florence Street and east of South Mingo Road; repealing all ordinances to the contrary; and declaring an emergency (Berwick South)

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

SECTION I. The mutual road easement recorded July 5, 2006, in Tulsa County Land records as document 2006075713 affecting the real estate described as follows:

A water line and drive easement located in the Southwest Quarter of the Southwest Quarter (SW/4 SW/4) (Lot Four) of Section Thirty (30), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian; Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, more particularly described as follows, To-wit:

Commencing at the Southwest corner of said SW/4 SW/4 of Section 30; thence N00°00'00"E along the West boundary of said SW/4 SW/4 a distance of 1323.10 feet to the Northwest corner of said SW/4 SW/4; thence N89°53'01"E along the North boundary of said SW/4 SW/4 a distance of 24.75 feet; thence S00°00'00"W and parallel with the West boundary of said SW/4 SW/4 a distance of 356.55 feet to the Point of Beginning; thence N90°00'00"E a distance of 89.49 feet; thence along a curve to the right having a radius of 150.00 feet (chord bearing: S81°41'24"E) a distance of 43.45 feet; thence along a curve to the left having a radius of 150.00 feet (chord bearing: S81°42'44"E) a distance of 43.45 feet; thence N90°00'00"E a distance of 59.43 feet; thence along a curve to the left having a radius of 275.00 feet (chord bearing: N80°42'42"E) a distance of 89.12 feet; thence N71°25'41"E a distance of 64.28 feet; thence along a curve to the right having a radius of 300.00 feet (chord bearing: N78°33'00"E) a distance of 74.58 feet; thence along a curve to the left having a radius of 25.00 feet (chord bearing: N45°05'49"E) a distance of 35.41 feet; thence N4°31'19"E a distance of 12.07 feet; thence along a curve to the right having a radius of 175.00 feet (chord bearing: N13°48'31"E) a distance of 56.73 feet; thence along a curve to the left having a radius of 25.00 feet (chord bearing: N4°57'47"W) a distance of 24.49 feet; thence along a curve to the right having a radius of 50.00 feet (chord bearing: N44°34'49"E) a distance of 135.44 feet; thence along a curve to the left having a radius of 25.00 feet (chord bearing: S85°52'35"E) a distance of 24.49 feet; thence along a curve to the right having a radius of 175.00 feet (chord bearing: N77°58'28"E) a distance of 72.75 feet; thence N89°53'01"E and parallel with the North boundary of said SW/4 SW/4 a distance of 187.47 feet; thence along a curve to the left having a radius of 25.00 feet (chord bearing: N44°53'02"E) a distance of 39.27 feet; thence N00°06'57"W a distance of 100.00 feet to a point on the North boundary of said SW/4 SW/4; thence N89°53'01"E along the North

boundary of said SW/4 SW/4 a distance of 50.00 feet; thence S00°06'57"E a distance of 100.00 feet; thence along a curve to the left having a radius of 25.00 feet (chord bearing: S45°06'58"E) a distance of 39.27 feet; thence S00°00'00"E a distance of 50.00 feet; thence S89°53'01"W and parallel with the North boundary of said SW/4 SW/4 a distance of 287.37 feet; thence along a curve to the left having a radius of 125.00 feet (chord bearing: S47°12'10"W) a distance of 186.23 feet; thence S4°31'19"W a distance of 12.07 feet; thence along a curve to the left having a radius of 25.00 feet (chord bearing: S36°03'11"E) a distance of 35.41 feet; thence S13°22'18"W a distance of 50.00 feet; thence along a curve to the left having a radius of 250.00 feet (chord bearing: S88°21'02"W) a distance of 131.08 feet; thence along a curve to the left having a radius of 25.00 feet (chord bearing: S31°35'58"W) a distance of 36.42 feet; thence S79°52'09"W a distance of 53.95 feet; thence along a curve to the left having a radius of 25.00 feet (chord bearing: N73°17'03"W) a distance of 26.62 feet; thence along a curve to the right having a radius of 325.00 feet (chord bearing: S83°06'03"W) a distance of 78.22 feet; thence S90°00'00"W a distance of 59.43 feet; thence along a curve to the left having a radius of 150.00 feet (chord bearing: S81°41'25"W) a distance of 43.45 feet; thence along a curve to the right having a radius of 150.00 feet (chord bearing: S81°41'02"W) a distance of 43.45 feet; thence S90°00'00"W a distance of 89.50 feet to a point being 24.75 feet East of the West boundary of said SW/4 SW/4; thence N00°00'00"E and parallel with the West boundary of said SW/4 SW/4 a distance of 75.00 feet to the Point of Beginning. Said easement containing 1.60 acres more or less, 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 3rd day of May, 2016.

ATTEST:

MAYOR

(Seal) CITY CLERK

APPROVED:

ASSISTANT CITY ATTORNEY