

Ordinance No.

An ordinance closing a utility easement on property located in Part of Lot Two (2), Block One (1), Hillside Crossings, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located north of the Broken Arrow Expressway and west of 9th Street; **specifically repealing ordinance number 3412; 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 TRACT OF LAND BEING A PART OF LOT TWO (2), BLOCK ONE (1), HILLSIDE CROSSINGS, A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT ONE (1), BLOCK ONE (1), HILLSIDE CROSSINGS; THENCE SOUTH 88°35'39" WEST ALONG THE NORTH LINE OF HILLSIDE CROSSINGS A DISTANCE OF 86.15 FEET; THENCE SOUTH 01°24'21" EAST A DISTANCE OF 61.80 FEET; THENCE SOUTH 87°23'39" WEST A DISTANCE OF 186.81 FEET; THENCE SOUTH 01°24'21" EAST A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUING SOUTH 01°24'21" EAST A DISTANCE OF 146.78 FEET; THENCE SOUTH 88°35'39" WEST A DISTANCE OF 42.00 FEET; THENCE NORTH 01°24'21" WEST A DISTANCE OF 145.90 FEET; THENCE NORTH 87°23'39" EAST A DISTANCE OF 42.01 FEET TO THE POINT OF BEGINNING

SAID TRACT CONTAINING 6,146 S.F. AND 0.14 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. Ordinance number 3412 is hereby repealed in its entirety.

SECTION III. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.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 16th day of August, 2016.

ATTEST:

MAYOR

(Seal) CITY CLERK

APPROVED:

ASSISTANT CITY ATTORNEY