

**RESOLUTION NO. 1048**

**A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO ENTER INTO A FINAL JOURNAL ENTRY OF JUDGMENT WITHOUT ADMITTING LIABILITY IN THE MATTER OF THE APPLICATION OF ASPEN CORNER, LLC, FOR A DECREE VACATING A PORTION OF THE PLAT OF SOUTHTOWNE ESTATES, AN ADDITION TO THE CITY OF BROKEN ARROW, STATE OF OKLAHOMA, TULSA COUNTY DISTRICT COURT CASE NO. CV-2017-00864, AUTHORIZING THE VACATION OF RECORDED PLAT NUMBER 5599, LOT 1, BLOCK 8, IN SOUTHTOWNE ESTATES, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA**

**WHEREAS**, on July 14, 2017, Aspen Corner, LLC, pursuant to the provisions 11 O.S. § 2-101 filed an application to vacate plat no. 5599; and

**WHEREAS**, Aspen Corner, LLC, owns Lot 1, Block 8, in Southtowne Estates an addition to the City of Broken Arrow, Tulsa County, State of Oklahoma according to recorded plat number 5599 recorded by the Tulsa County Clerk on March 11, 2002 in Book 6707 at page 2402; and

**WHEREAS**, Aspen Corner, LLC, desires to re-plat the property previously platted as plat number 5599 as part of a new residential subdivision plat that would develop the Block 8 property by incorporating the Block 8 property along with adjoining property according to a new plat that will be subsequently filed; and

**WHEREAS**, the vacation of the Block 8 property from the plat will not injuriously effect the rights of owners of any other portion of Southtowne Estates or the public; and

**WHEREAS**, the legal department and City staff are recommending that the City Council authorize the City Attorney to enter into a Journal Entry of Judgment Vacating Plat 5599.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the City Attorney is authorized to enter into a Journal Entry of Judgment Vacating Plat 5599.

This Resolution is approved in open meeting by the City Council of the City of Broken Arrow on this 15 day of August, 2017.

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Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

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Deputy City Attorney