

RESOLUTION NO. 1138

A RESOLUTION AUTHORIZING THE LEGAL DEPARTMENT TO FILE AN ANSWER AGREEING TO VACATE A PART OF THE AMENDED PLAT OF LYNN LANE INDUSTRIAL PARK, GENERALLY LOCATED EAST OF LYNN LANE SOUTH OF HOUSTON STREET, AND WAIVING ANY OBJECTIONS TO THE PETITION TO VACATE IN THE MATTER OF ALFA LAVAL, INC., V. CITY OF BROKEN ARROW ET AL., TULSA COUNTY DISTRICT COURT CASE NO. CV-2018-01173

WHEREAS, on September 13, 2018, Alfa Laval, Inc. ("Alfa Laval"), a New Jersey corporation, filed a Petition to Vacate a part of a platted tract pursuant to 11 O.S. § 42-102 in the District Court in and for Tulsa County, State of Oklahoma, Case No. CV-2018-01173; and

WHEREAS, Alfa Laval is the fee simple title owner of the following described real property located in the City of Broken Arrow, Tulsa County, State of Oklahoma, to-wit:

LOTS ONE (1) AND TWO (2), BLOCK ONE (1) AND RESERVE "A", OF THE AMENDED PLAT OF LYNN LANE INDUSTRIAL PARK, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF.

WHEREAS, Alfa Laval's property described above includes a portion of the land platted for municipal purposes as Amended plat of Lynn Lane Industrial Park, an Addition to the City of Broken Arrow, Tulsa County, Oklahoma, dedicated by that Certificate of Dedication and Restrictive Covenants dated June 21, 1994 and recorded in the office of the Tulsa County Clerk as Plat #5005; and

WHEREAS, Alfa Laval properties, described above will be vacated as Lots One (1) and Two (2) of Block one (1) and Reserve "A", of the Amended Plat of Lynn Lane Industrial Park, an Addition to the City of Broken Arrow, Tulsa County, State of Oklahoma, as it is not required for municipal purpose; and

WHEREAS, Alfa Laval has complied with the requirements of 11 O.S. § 42-101 through 115.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA that the City Attorney be, and is hereby directed to agree to file an Answer agreeing to vacate Lots One (1) and Two (2) of Block one (1) and Reserve "A", of the Amended Plat of Lynn Lane Industrial Park, in the case of ALFA LAVAL, INC. v City of Broken Arrow et al., Tulsa County District Court, Case No. CV-2018-01173, and entering into a Journal Entry of Judgment authorizing the vacation of a portion of Plat #5005.

ADOPTED and APPROVED by the Mayor of the Council of the City of Broken Arrow on this 2nd day of October, 2018.

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney