



City of Broken Arrow

Request for Action

File #: 19-786, Version: 1

**Broken Arrow City Council
Meeting of: 06-17-2019**

Title:

Consideration, discussion, and possible approval and direction to publish a Legal Notice of Annexation for the voluntary annexation of approximately 1,240 acres located South of Dearborn Street (41st), East of 51st Street (Evans Road / 225th East Avenue) within all of Section 28, Township 19 North, Range 15 East and parts of Section 27, Township 19 North, Range 15 East and parts of Section 33, Township 19 North, Range 15 East and parts of Section 4, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma

Background:

The City Council in their meeting of April 2, 2019, considered this request for annexation. Inadvertently the public notice posted for that meeting announced the meeting to start at 6:30 pm, and the actual meeting was moved to 5:30 pm. Therefore the action of the City Council, on April 2, 2019, annexing this property, did not meet the public notice requirement and is void. The applicant has been notified and the request for annexation is being recommended as a new application.

At the request of the property owner, the City of Broken Arrow has been requested to annex 1,240 acres generally located South of Dearborn Street (41st), East of 51st Street (Evans Road / 225th East Avenue) within all of Section 28, Township 19 North, Range 15 East and parts of Section 27, Township 19 North, Range 15 East and parts of Section 33, Township 19 North, Range 15 East and parts of Section 4, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

Pursuant to Title 11, Section 21-103 of the Oklahoma Statutes, the City Council must direct publication of a Notice of Annexation in a legally qualified newspaper of general circulation at least fourteen (14) days prior to the public hearing notifying property owners abutting any public right-of-way that forms the boundary of the territory of proposed property to be annexed. All adjoining property owners of the requested annexation request have to be notified of the public hearing, by regular mail, unless their property is five (5) acres or larger and used for agricultural purposes then the notice shall be mailed by certified mail.

These 1,240 acres comprising of four (4) contiguous but separate parcels are currently undeveloped. This area was part of Fair Oaks Township up until January 8, 2019, and has been de-annexed from Fair Oaks Township. The property is projected to be developed for residential, commercial, industrial, office, recreational and mixed uses.

Cost: Publication Costs

Source: General Fund

Requested By: Larry R. Curtis, Interim Development Services Director

Approved By: City Manager's Office

Attachments: Legal Notice of Annexation
Exhibit "A"
Annexation Case Map
Annexation Aerial

Recommendation:

Direct the City Clerk to publish the Legal Notice of Annexation in a legally qualified newspaper, within (14) days prior to the public hearing and provide notice in accordance with State Law.