



**CITY OF COWETA OKLAHOMA
ORDINANCE 750**

AN ORDINANCE PROVIDING FOR AND DECLARING THE CLOSING AND VACATION TO PUBLIC USE OF A PORTION OF EAST PINE STREET AND ALLEYWAYS LOCATED IN NEW COWETA CITY, LOTS 1 THROUGH 22, BLOCK 30; NEW COWETA CITY, LOTS 1 THROUGH 6, BLOCK 37; AND NEW COWETA CITY, LOT 22, BLOCK 37, IN SECTION 18, TOWNSHIP 17 NORTH, RANGE 16 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF COWETA, OKLAHOMA, SAID TRACT BEING MORE PARTICULARLY DESCRIBED HEREINAFTER, AND RETAINING THE RIGHTS OF ANY HOLDER OF A FRANCHISE OR OTHERS DETERMINED BY THE GOVERNING BODY TO HAVE A SPECIAL RIGHT OR PRIVILEGE GRANTED BY ORDINANCE OR LEGISLATIVE ENACTMENT TO MAINTAIN THEIR EXISTING UTILITIES, AND RETAINING THE ABSOLUTE RIGHT TO REOPEN THE EASEMENT WITHOUT EXPENSE TO THE MUNICIPALITY AND DECLARING AN EMERGENCY.

WHEREAS, the City of Coweta, Oklahoma, has deemed it necessary and expedient to close a public street, and alleyways, and

WHEREAS, pursuant to Title 11, Oklahoma Statutes, Section 42-110, the City of Coweta has provided written notice of the proposed closing of said easement to holders of a franchise or others determined by the governing body to have a special right or privilege at least thirty (30) days prior to passage of this ordinance, and

WHEREAS, the City Council of the City of Coweta, Oklahoma, finds that the closing of said street and alleyways will not adversely affect the health, safety, or general welfare of the public and the same is necessary and expedient,

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA

SECTION 1: That in the judgment and discretion of the Mayor and Council of the City of Coweta, it is desirable and profitable to close and vacate that portion of East Pine Street, running East/West between North Broadway and North Delaware, and that said portions of the alleyways running North/South and East/West between East Oak Street and East Pine Street in New Coweta City, Lots 1 through 22, Block 30, and that said portions of the alleyways running North/South, South of East Pine Street a distance of 140 feet between Lots 1 through 6, Block 37; and Lot 22, Block 37, New Coweta City, on Coweta Independent School District No. 17 property, and that said closure and vacation is in the best interest of the City of Coweta.

SECTION 2: That the municipality shall retain the absolute right to reopen the road right-of-way and alleyways without expense to the municipality. Closing of the public way shall not affect the right to maintain, repair, reconstruct, operate, or remove utility, public service corporation, or transmission company facilities of service therein, nor shall a closing affect private ways existing by operation of law unless released in writing executed by the owners thereof.

SECTION 3: That for the immediate preservation of the peace, health and safety of the City of Coweta, Oklahoma, and for the inhabitants thereof, an emergency is hereby declared to exist by reason whereof this ordinance shall become operative and go into effect immediately upon its passage and approval.

PASSED AND APPROVED THIS 28th day of August, 2014.



ROBERT MORTON, MAYOR

**PASSED AND REAPPROVED
FOR SCRIVENER ERROR**
This 7th day of December, 2015



APPROVED AS TO FORM:



BRITTANY LONG, CITY CLERK



DAVID WEATHERFORD, CITY ATTORNEY