

**CITY OF COWETA OKLAHOMA
ORDINANCE 773**

AN ORDINANCE CLOSING AND VACATING TO PUBLIC USE THE UTILITY EASEMENT LOCATED IN SECTION 13, TOWNSHIP 17 NORTH, RANGE 15 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 easement,
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 easement 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 the following described easement be closed to public use, to wit:

A sewer line easement 15 feet in width whose center-line is described as beginning at a point 59.5 feet West and 75 feet South of the NE corner of Lot 1, Block 8, Original Town of Coweta thence South 75 feet to a point 59.5 feet West and 50 feet South of the NE corner of Lot 2, Block 8, Original Town of Coweta.

Recorded at the Wagoner County Clerk's Office at Book 740, Page 155-157;

SECTION 2: That the municipality shall retain the absolute right to reopen the easement 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.

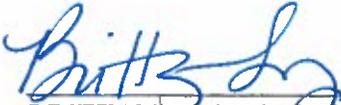
PASSED AND APPROVED THIS 6th day of June, 2016.




ROBERT MORTON, MAYOR

APPROVED AS TO FORM:


DAVID WEATHERFORD, CITY ATTORNEY


BRITTANY LONG, CITY CLERK