

**CITY OF COWETA OKLAHOMA
ORDINANCE 745**

AN ORDINANCE CLOSING AND VACATING TO PUBLIC USE THE UTILITY EASEMENT LOCATED IN SECTION 12, 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:

The Westerly 50 feet of the following described property: Beginning at a point 61.9 feet East of the Northwest corner of the SE/4 of NE/4 of Section 12, Township 17 North, Range 15 East; thence N89°56'06"E along the North line of the SE/4 of NE/4 a distance of 286.96 feet to a point; thence S29°46'30"E a distance of 642.71 feet to the point of beginning; thence S59°08'W a distance of 249.87 feet more or less to the Northeasterly right-of-way line of State Highway 51; thence Southeasterly along said right-of-way line a distance of 150 feet; thence N59°08'E a distance of 250 feet; thence N29°46'30"W a distance of 150 feet to the point of beginning containing .09 acres, more or less.

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 2nd day of June, 2014.

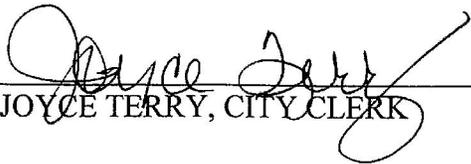




ROBERT MORTON, MAYOR

ATTEST:

APPROVED AS TO FORM:



JOYCE TERRY, CITY CLERK



DAVID WEATHERFORD, CITY ATTORNEY

PUBLISHER'S AFFIDAVIT

ORD NO. 745

PUBLICATION DATE(S)

06/06/14

CASE NUMBER: ORD NO. 745

AD NO: 00182511

LEGAL NOTICE

STATE OF OKLAHOMA
COUNTY OF Wagoner

} SS

I, of lawful age, being duly sworn, am a legal representative of Coweta American of Coweta, Oklahoma, a weekly newspaper of general circulation in Wagoner, Oklahoma, a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971 and 1982 as amended, and thereafter, and complies with all other requirements of the laws of Oklahoma with reference to legal publications. That said notice, a true copy of which is attached hereto was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the ABOVE LISTED DATE(S)

Sandra Moore

Representative Signature

Subscribed to and sworn to me this 7th day of June, 2014.

Notary Public

Nancy Carol Moore

Nancy Carol Moore

My commission number: 06011684

My commission expires: December 8, 2014

Customer #: 00010079

Customer: CITY OF COWETA

Publisher's Fee: 37.80

**NANCY CAROL MOORE
NOTARY PUBLIC
STATE OF OKLAHOMA
COMMISSION NO. 06011684
EXPIRES 12-8-2014**

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Published in the Coweta American, Coweta, Wagoner County, Oklahoma, June 6, 2014.

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PASSED AND APPROVED THIS 2ND DAY OF JUNE, 2014, WITH THE EMERGENCY CLAUSE VOTED ON SEPARATELY.

/s/ Robert Morton, Mayor

ATTEST: /s/ Joyce Terry, City Clerk

APPROVED AS TO FORM: /s/ David Weatherford, City Attorney