



**CITY OF COWETA
ORDINANCE NO. 689**

2008-5091 Book: 1747 pg: 226
4/11/2008 11:17 AM pgs: 226 - 226
Fees: \$13.00 Doc: \$0.00
Carolyn M. Kusler, County Clerk
Wagoner County - State of Oklahoma

AN ORDINANCE CLOSING TO PUBLIC USE THE DRAINAGE EASEMENT LOCATED 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, 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 certain 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 granted 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 that 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 10.0-foot drainage easement on a portion of Lots 2 and Lot 3, Block 1, Mission Acres East, an Addition to the City of Coweta, Wagoner County, State of Oklahoma

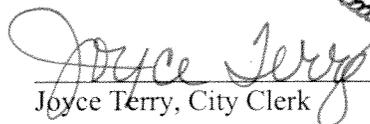
SECTION 2: That the municipality shall retain the absolute right to reopen the easement without expense to the municipality. Closing of the public way shall not affect the right to maintain, repair, reconstruct, operate, or remove utility, public service corporation, or transmission company facilities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

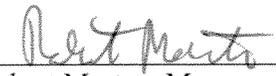
SECTION 3. That for the immediate preservation of the peace, health and safety of the City of Coweta, Oklahoma, and for the inhabitants thereof, an emergency is hereby declared to exist by reason whereof this ordinance shall become operative and go into effect immediately upon its passage and approval.

PASSED AND APPROVED THIS 7TH DAY OF APRIL, 2008, WITH AN EMERGENCY CLAUSE VOTED ON SEPARATELY.



ATTEST:


Joyce Terry, City Clerk


Robert Morton, Mayor

APPROVED AS TO FORM:


David Weatherford, City Attorney

PUBLISHER'S AFFIDAVIT

ORDINANCE NO. 689

PUBLICATION DATE(S)

04/16/08

CASE NUMBER: ORD NO. 689

AD NO: 00054031

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 daily 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)



Representative Signature

Subscribed to and sworn to me this 17th day of April, 2008.

Notary Public 
NANCY CAROL MOORE

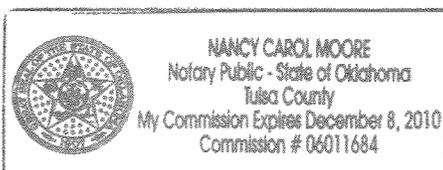
My commission number: 06011684

My commission expires: December 8, 2010

Customer #: 00010079

Customer: CITY OF COWETA

Publisher's Fee: 36.40



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PASSED AND APPROVED THIS 7TH DAY OF APRIL 2008 WITH AN EMERGENCY CLAUSE VOTED ON SEPARATELY

/s/ Robert Morton, Mayor

ATTEST: /s/ Joyce Terry, City Clerk

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