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ORDINANCE NO. 27,362

ORDINANCE CLOSING THE WEST 25 FEET OF A 42-FOOT-WIDE NORTH-SOUTH EASEMENT LOCATED WEST OF SOUTH WESTERN AVENUE AND SOUTH OF THE OKLAHOMA RIVER. ~~AND DECLARING AN EMERGENCY.~~ AKS

~~EMERGENCY~~ ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

Section 1. The following public way and/or easement in The City of Oklahoma City, Oklahoma, shall be and the same is hereby closed to the public use, to-wit:

A tract of land being a part of Southeast Quarter (SE/4) of Section Five (5), Township Eleven (11) North, Range Three (3) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, and being the West 25 feet of the South 243 feet of that Easement recorded in Book 3326, Page 372 (the first tract described therein); also being described as the South 243 feet of the West 25 feet of the East 75 feet of the of the same SE/4. **AND** A tract of land being a part of Northeast Quarter (NE/4) of Section Eight (8), Township Eleven (11) North, Range Three (3) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, and being the West 25 feet of that Easement recorded in Book 3326, Page 372 (the second tract described therein); also being described as the North 1660 feet, more or less, of the West 25 feet of the East 75 feet of the same NE/4.

Section 2. That all rights of The City or any public or quasi-public corporation with reference to any public or quasi-public works or utilities, including but not limited to a perpetual easement for water and wastewater, drainage, stormwater, sidewalks, and traffic controls systems (collectively "City Systems") are hereby expressly reserved and the above closing shall in no way impair the right to erect, construct, or repair poles, pipes, wires, conduits, or sewer, including but not limited to the City Systems and the purpose of such construction, repair, operation, maintenance, expansion, and replacement of the City Systems and associated facilities, connections, utilities, and appurtenances thereto including the right of ingress and egress and all right, title and interest in and to any soil, earthen material, fixture, and appurtenances incidentally removed during the use of a perpetual easement under and over the above described public way or easement is hereby expressly reserved and, **when in the opinion of the Council it shall be necessary, the same may be re-opened without expense to the City.** In the event any excavation or fill is made therein all City Systems and equipment incident thereto shall be raised or otherwise protected so that no seepage into such City Systems shall occur by reason of the use made of the above closed public way or easement and that no impairment of the use of City Systems shall be caused by reason of such use. Any damage caused to such City Systems as aforesaid shall be borne by the person, firm, or corporation making use of the above closed public way or easement.

Section 3. (EMERGENCY) ~~WHEREAS~~, it being immediately necessary for the preservation of the peace, health, safety, and public good of Oklahoma City and the inhabitants

thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect, and be in full force from and after its passage, as provided by law.

INTRODUCED AND READ in open meeting of the Council of The City of Oklahoma City, Oklahoma, this 9TH day of MAY, 2023.

PASSED by the Council of The City of Oklahoma City, Oklahoma, this 20TH day of JUNE, 2023.

SIGNED by the Mayor of The City of Oklahoma City, Oklahoma, this 20TH day of JUNE, 2023.

ATTEST:

Amy K Simpson
CITY CLERK



David Holt
MAYOR

REVIEWED for form and legality.

[Signature]
ASSISTANT MUNICIPAL COUNSELOR