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ORDINANCE NO._____

ORDINANCE CLOSING A PORTION OF THE NORTH-SOUTH UTILITY EASEMENT AND RIGHT-OF-WAY OF NORTH WALNUT AVENUE, NORTH OF NE 52ND STREET, AND EAST OF NORTH OKLAHOMA AVENUE AND DECLARING AN EMERGENCY.

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:

25 FOOT EASEMENT: A PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TEN (10), TOWNSHIP TWELVE (12) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, OKLAHOMA COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING (P.O.C.) AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW/4) OF SAID SECTION TEN (10); THENCE NORTH 89°59'00" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER (SW/4), A DISTANCE OF 1,320.00 FEET TO A POINT, SAID POINT BEING 25.00 FEET EAST AND 33.00 FEET SOUTH OF THE SOUTHEAST CORNER OF BLOCK FIVE (5) IN CITY VIEW ADDITION; THENCE NORTH 00°00'52" WEST, ALONG THE EAST LINE OF CITY VIEW ADDITION, A DISTANCE OF 697.00 FEET TO THE POINT OF BEGINNING (P.O.B.), SAID POINT ALSO BEING A POINT 14.00 FEET NORTH AND 31.00 FEET EAST OF BLOCK ONE (1) OF CITY VIEW ADDITION; THENCE NORTH 00°00'52" WEST A DISTANCE OF 293.00 FEET; THENCE NORTH 89°58'54" EAST A DISTANCE OF 25.00 FEET; THENCE SOUTH 00°00'52" EAST A DISTANCE OF 293.00 FEET; THENCE SOUTH 89°58'54" WEST A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING. **AND 15 FOOT EASEMENT:** A PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TEN (10), TOWNSHIP TWELVE (12) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, OKLAHOMA COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING (P.O.C.) AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW/4) OF SAID SECTION TEN (10); THENCE NORTH 89°59'00" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION TEN (10), A DISTANCE OF 1,320.00 FEET TO A POINT, SAID POINT BEING 25.00 FEET EAST AND 33.00 FEET SOUTH OF THE SOUTHEAST CORNER OF BLOCK FIVE (5) IN CITY VIEW ADDITION, AND ALSO BEING THE SOUTHEAST CORNER OF THE PLAT OF CITY VIEW ADDITION; THENCE NORTH 00°00'52" WEST, ALONG THE EAST LINE OF SAID CITY VIEW ADDITION, A DISTANCE OF 532.00 FEET; THENCE SOUTH 89°59'13" EAST A DISTANCE OF 25.00 FEET; THENCE NORTH 00°00'52" WEST, A DISTANCE OF 165.01 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°00'52" WEST, ALONG THE SAID EAST RIGHT-OF-WAY LINE OF WALNUT AVENUE, A DISTANCE OF 293.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 10; THENCE NORTH 89°57'48" EAST ALONG SAID NORTH LINE, A DISTANCE OF 15.00 FEET; THENCE SOUTH 00°00'52" EAST A DISTANCE OF 293.00 FEET; THENCE SOUTH 89°57'48" WEST A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

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 sewers, 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, on this 13TH day of AUGUST, 2024.

PASSED by the Council and **SIGNED** by the Mayor of The City of Oklahoma City, Oklahoma, this _____ day of _____, 20____.

ATTEST:

CITY CLERK

MAYOR

REVIEWED for form and legality.



ASSISTANT MUNICIPAL COUNSELOR