

Published in The Journal Record _____ June 5 _____, 2024.

ORDINANCE NO. 27,613

ORDINANCE CLOSING A PORTION OF THE NW 90TH STREET RIGHT-OF-WAY BETWEEN BLOCKS 45 AND 46 OF BRITTON HEIGHTS ADDITION, WEST OF NORTH WESTERN AVENUE AND NORTH OF NW 89TH STREET ~~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 situated within the Northeast Quarter (NE/4) of Section Thirty-two (32), Township Thirteen North (T13N), Range Three West (R3W) of the Indian Meridian (I.M.), Oklahoma County, Oklahoma, same being a portion of BRITTON HEIGHT'S ADDITION TO OKLAHOMA CITY, an Addition of the City of Oklahoma City filed in the Office of the Oklahoma County Clerk in Book 7 of Plats, Page 64, being more particularly described by metes and bounds as follows: BEGINNING at the Northeast corner of Lot 5, Block 45 of said Addition; Thence S89°24'24"W a distance of 49.25 feet; Thence S89°28'57"W a distance of 100.14 feet; Thence S89°23'18"W a distance of 49.52 feet to the easterly right-of-way of A.T. & SF Railroad and the beginning of a curve to the right Thence; 64.11 feet along the arc of said curve having a radius of 1332.69 feet, subtended by a chord of 64.10 feet which bears N20°01'51"E to the Southwest corner of Lot 17, Block 46 of said Addition; Thence N89°25'44"E, leaving said right-of-way a distance of 176.36 feet; Thence S00°34'16"E a distance 60.04 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 23RD day of APRIL, 2024.

PASSED by the Council of The City of Oklahoma City, Oklahoma, this 4TH day of JUNE, 2024.

SIGNED by the Mayor of The City of Oklahoma City, Oklahoma, this 4TH day of JUNE, 2024.

ATTEST:

Amy K Simpson
CITY CLERK



David Holt
MAYOR

REVIEWED for form and legality.

[Signature]
ASSISTANT MUNICIPAL COUNSELOR