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ORDINANCE NO. _____

ORDINANCE CLOSING A PORTION OF THE EAST-WEST RIGHT-OF-WAY, DRAINAGE, AND UTILITY EASEMENT OF SW 164TH STREET, WEST OF SOUTH PENNSYLVANIA AVENUE, AND SOUTH OF SOUTHWEST 161ST STREET 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:

A tract of land being a part of the Southeast Quarter (SE/4) of Section Thirty (30) and a part of the Northeast Quarter (NE/4) and Northwest Quarter (NW/4) of Section Thirty- one (31), Township Ten (10) North, Range Three (3) West of the Indian Meridian, Oklahoma City, Cleveland County, Oklahoma, being more particularly described as follows: Commencing at the Northeast (NE) Corner of the NE/4 of said Section 31; THENCE South 89°12'21" West, along and with the North line of the NE/4 of said Section 31, a distance of 83.00 feet to a point on the West line of an easement in favor of the City of Oklahoma City recorded in Book 4,434, Page 1,413 (OKC Easement 1), said point being the POINT OF BEGINNING; THENCE South 01°08'55" East, along and with the West line of said OKC Easement 1, a distance of 7.51 feet; THENCE South 87°08'51" West, departing said West line, a distance of 332.13 feet; THENCE South 89°03'37" West, a distance of 1,466.70 feet; THENCE South 89°08'28" West, a distance of 813.12 feet; THENCE North 46°22'20" West, a distance of 33.57 feet to a point on the North line of the NW/4 of said Section 31; THENCE North 88°46'28" East, along and with the North line of the NW/4 of said Section 31, a distance of 77.20 feet to the Northeast (NE) Corner of the NW/4 of said Section 31, the same being the Southwest (SW) Corner of the SE/4 of said Section 30; THENCE North 00°52'24" West, along and with the West line of the SE/4 of said Section 30, a distance of 33.00 feet; THENCE North 89°12'21" East, parallel with and 33.00 feet North of the South line of the SE/4 of said Section 30, a distance of 2,558.48 feet to a point on the West line of a 33 foot easement in favor of the City of Oklahoma City as described in Journal Entry for Case No. CJ-07-2347-BH (OKC Easement 2); THENCE South 00°50'14" East, along and with the West line of said OKC Easement 2, a distance of 33.00 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 19TH day of NOVEMBER, 2024.

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

ATTEST:

CITY CLERK

MAYOR

REVIEWED for form and legality.



ASSISTANT MUNICIPAL COUNSELOR