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ORDINANCE NO. _____

ORDINANCE CLOSING A PORTION OF THE DIAGONAL UTILITY EASEMENT ON LOT ONE (1), IN BLOCK FIVE (5), OF PRESTON COMMERCIAL SECTION III, SOUTHEAST OF NW 130TH 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 Lot 1, Block 5 as shown on the recorded plat known as Preston Commercial Section III to the City of Oklahoma City, and also being a part of the Northwest Quarter of Section FIFTEEN (15), Township THIRTEEN (13) North, Range FOUR (4) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows: With the basis of bearing being North 89°40'58" East along the South line of said Northwest Quarter (NW/4); Commencing at the Southwest Corner of the Northwest Quarter (NW/4) of said Section FIFTEEN (15); Thence North 89°40'58" East along the South line of said Northwest Quarter (NW/4) a distance of 757.69 feet; Thence North 00°29'18" West a distance of 158.74 feet; Thence South 27°10'31" West a distance of 32.31 feet to the POINT OF BEGINNING; Thence continuing South 27°10'31" West a distance of 96.30 feet; Thence South 86°36'33" West a distance of 9.14 feet; Thence North 36°54'19" West a distance of 7.93 feet; Thence North 27°10'31" East a distance of 126.90 feet; Thence South 00°29'18" East a distance of 32.31 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 30TH day of JANUARY, 2024.

PASSED by the Council of The City of Oklahoma City, Oklahoma, this _____ day of _____, 20____.

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