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ORDINANCE NO._____

AN ORDINANCE AMENDING ORDINANCE NO. 27,082 AS ADOPTED BY THE CITY COUNCIL ON MAY 24, 2022, CLOSING A PORTION OF SOUTH HARVEY AVENUE BETWEEN SW 24TH STREET AND SW 25TH STREET; BY CLOSING TO VEHICULAR ACCESS ONLY AND RESERVING AN EASEMENT FOR PEDESTRIAN ACCESS, BICYCLE ACCESS, AND EMERGENCY VEHICLE ACCESS.

ORDINANCE

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

SECTION 1. That Section 1 of Ordinance No. 27,082 of The City of Oklahoma City, as adopted by the City Council on May 24, 2022, is hereby amended to read as follows:

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~~ vehicular access, to- wit:

The right-of-way of S. Harvey Avenue from the south right-of-way line of SW 24th Street to the north right-of-way line of SW 25th Street.

SECTION 2. That Section 2 of Ordinance No. 27,082 of The City of Oklahoma City, as adopted by the City Council on May 24, 2022, is hereby amended to read as follows:

Section 2. That The City expressly reserves an easement over and across said public way and/or easement for pedestrian access, bicycle access, and emergency vehicle access. Further, 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.

INTRODUCED AND READ in open meeting of the Council of The City of Oklahoma City, Oklahoma, on this 4TH day of JUNE, 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