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ORDINANCE NO. _____

ORDINANCE CLOSING A PORTION OF THE EAST-WEST ALLEY IN BLOCK FOUR (4) OF THE CHESTER HILL ADDITION AND PART OF N HARVEY AVENUE BETWEEN NW 96TH STREET AND NW 97TH STREET LOCATED AT 325 NW 96TH 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:

All of the 60 foot wide platted N Harvey Avenue located adjacent to and east of the east boundary of Lot 1, Block 4, adjacent to the east boundary of the 20 foot alley in Block 4, and adjacent to and east of the east boundary of Lot 48, Block 4, all in Chester Hill Addition, according to the recorded plat thereof, more particularly described as follows: Beginning at the northeast corner of Lot 1, Block 4, Thence south 300 feet along the east boundary of Lot 1, Block 4, the east boundary of the 20 foot alley in Block 4, and the east boundary of Lot 48, Block 4, to the southeast corner of Lot 48, Block 4, Thence east 60 feet to the southwest corner of Lot 25, Block 3, Thence north 300 feet along the west boundary of Lot 25, Block 3, the west boundary of the 20 foot alley in Block 3, and the west boundary of Lot 24, Block 3, to the northwest corner of Lot 24, Block 3, Thence west 60 feet to the point of beginning (that being the northeast corner of Lot 1, Block 4), all in Chester Hill Addition, according to the recorded plat thereof, AND The north half of the 20 foot wide platted alley in Block 4 located adjacent to and south of the south boundary of Lot 1, Block 4, through Lot 4, Block 4, Chester Hill Addition, according to the recorded plat thereof, more particularly described as follows: Beginning at the southeast corner of Lot 1, Block 4, Thence west 100 feet along the south boundary of Lots 1 through 4, both inclusive, Block 4, to the southwest corner of Lot 4, Block 4, Thence south 10 feet to the centerline of the 20 foot platted alley in Block 4, Thence east 100 feet along the centerline of the 20 foot alley in Block 4, to a point 10 feet south of the southeast corner of Lot 1, Block 4, Thence north 10 feet to the point of beginning (that being the southeast corner of Lot 1, Block 4), all in Chester Hill Addition, according to the recorded plat thereof, AND The south half of the 20 foot wide platted alley in Block 4 located adjacent to and north of the north boundary of Lots 37 through 48, both inclusive, Block 4, Chester Hill Addition, according to the recorded plat thereof, more particularly described as follows: Beginning at the northeast corner of Lot 48, Block 4, Thence west 300 feet along the north boundary of Lots 48 through 37, both inclusive, Block 4, Thence north 10 feet to the centerline of the 20 foot alley in Block 4, Thence east 300 feet along the centerline of the 20 foot alley in Block 4 to a point 10 feet north of the northeast corner of Lot 48, Block 4, Thence south 10 feet to the point of beginning (that being the northeast corner of Lot 48, Block 4), all in Chester Hill Addition, according to the recorded plat thereof.

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, this 16th day of August, 20 22.

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