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ORDINANCE NO. \_\_\_\_\_

ORDINANCE CLOSING A PORTION OF NW 106TH STREET BETWEEN N WESTERN AVENUE AND N FRANCIS AVENUE AND PORTIONS OF THE ALLEYWAY IN BLOCK SEVEN (7) AND BLOCK SIX (6) OF THE HOMEDALE ADDITION LOCATED AT 928 NW 107TH 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 fifty (50) foot wide platted NW 106th Street (platted as Pfeiffer Avenue) located adjacent to and north of Lots 1 through 32, both inclusive, Block 6, and adjacent to and south of Lots 33 through 64, both inclusive, Block 7, all in Homedale Addition, according to the recorded plat thereof, more particularly described as follows: Beginning at the northeast corner of Lot 1, Block 6; Thence north 50 feet to the southeast corner of Lot 64, Block 7; Thence west 800 feet along the south boundary of Lots 33 through 64, Block 7 to the southwest corner of Lot 33, Block 7; Thence south 50 feet to the northwest corner of Lot 32, Block 6; Thence east 800 feet along the north boundary of Lots 32 through 1, Block 6, to the point of beginning (that being the northeast corner of Lot 1, Block 6), all in Homedale Addition, according to the recorded plat thereof; AND The north half of the 15 foot wide platted alley in Block 6 located adjacent to and south of Lots 1 through 32, both inclusive, Block 6, Homedale Addition, according to the recorded plat thereof, more particularly described as follows: Beginning at the southwest corner of Lot 32, Block 6; Thence south 7.5 feet to the centerline of the 15 foot alley in Block 6; Thence east 800 feet along the centerline of the 15 foot platted alley in Block 6 to a point 7.5 feet south of the southeast corner of Lot 1, Block 6; Thence north 7.5 feet to the southeast corner of Lot 1, Block 6; Thence west 800 feet along the south boundary of Lots 1 through 32, both inclusive, Block 6, to the point of beginning (that being the southwest corner of Lot 32, Block 6), all in Homedale Addition, according to the recorded plat thereof; AND The south half of the 15 foot wide platted alley in Block 6 located adjacent to the north boundary of Lots 41 and 42, Block 6, Homedale Addition, according to the recorded plat thereof, more particularly described as follows: Beginning at the northwest corner of Lot 41, Block 6, Thence north 7.5 feet to the centerline of the 15 foot platted alley in Block 6; Thence east 50 feet along the centerline of the 15 foot platted alley in Block 6 to a point 7.5 feet north of the northeast corner of Lot 42; Thence south 7.5 feet to the northeast corner of Lot 42; Thence west 50 feet along the north boundary of Lots 42 and 41, Block 6, to the point of beginning (that being the northwest corner of Lot 41, Block 6, all in Homedale Addition, according to the recorded plat thereof; AND All of the 15 foot wide platted alley in Block 7 located adjacent to and south of Lots 1 through 16, both inclusive, Block 7, and adjacent to and north of Lots 49 through 64, both inclusive, Block 7, all in Homedale Addition, according to the recorded plat thereof, more particularly described as follows: Beginning at the northwest corner of Lot 49, Block 7; Thence north 15 feet to the southwest corner of Lot 16, Block 7, Thence east 400 feet

along the south boundary of Lots 16 through 1, both inclusive, Block 7, to the southeast corner of Lot 1, Block 7, Thence south 15 feet to the northeast corner of Lot 64, Block 7, Thence west 400 feet along the north boundary of Lots 49 through 64, both inclusive, to the point of beginning (that being the northwest corner of Lot 49, Block 7), all in Homedale Addition, according to the recorded plat thereof; AND The west half of 50 foot wide platted Francis Street (platted as Ollie Street), located adjacent to east boundary of Lot 1, Block 7; adjacent to the east boundary of the 15 foot platted alley in Block 7; adjacent to the east boundary of Lot 64, Block 7; adjacent to the east boundary of NW 106th Street (platted as Pfeiffer Avenue) between the southeast corner of Lot 64, Block 7, and the northeast corner of Lot 1, Block 6; adjacent to the east boundary of Lot 1, Block 6; and adjacent to the east boundary of the north half of the 15 foot platted alley in Block 6, all in Homedale Addition, according to the recorded plat thereof, more particularly described as follows: Beginning at the northeast corner of Lot 1, Block 7; Thence south 492.5 feet along the east boundary of Blocks 7 and 6, extended, to the centerline of the 15 foot platted alley in Block 6; Thence east 25 feet to the centerline of Francis Street; Thence north 492.5 feet along the centerline of Francis Street to a point 25 feet east of the northeast corner of Lot 1, Block 7; Thence west 25 feet to the point of beginning (that being the northeast corner of Lot 1, Block 7); all in Homedale 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.

  
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ASSISTANT MUNICIPAL COUNSELOR