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ORDINANCE NO. _____

ORDINANCE CLOSING A PORTION OF CLASSEN BOULEVARD (AS RECORDED PER PLAT) BETWEEN BLOCK TEN (10) OF THE CLASSEN'S MARQUETTE ADDITION AND BLOCK ELEVEN (11) OF THE AMENDED CLASSEN'S MARQUETTE ADDITION LOCATED SOUTH OF NORTHWEST 11TH STREET AND EAST OF DEWEY AVENUE AT 1111 CLASSEN DRIVE 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 Southwest Quarter (SW/4) of Section Twenty-eight (28), Township Twelve (12) North, Range Three (3) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being a portion of Classen Boulevard lying between Block 10 as shown on the plat Classen's Marquette Addition and The Amended Plat of Block 11 Classen's Marquette Addition, being more particularly described as follows: Commencing at the Southeast (SE) Corner of said Southwest Quarter (SW/4); THENCE South 89°42'06" West, along and with the South line of said Southwest Quarter (SW/4), a distance of 116.43 feet; THENCE North 00°17'54" West, departing said South line, a distance of 50.00 feet to the extended South line of said Block 11, said point being the POINT OF BEGINNING; THENCE South 89°42'06" West, along and with the extended South line of said Block 11, a distance of 75.91 feet to the Southeast (SE) Corner of said Block 11; THENCE along and with the Northeast lines of said Block 11 the following three (3) calls: 1. on a non-tangent curve to the left having a radius of 30.00 feet, a chord bearing of North 22°17'19" East, a chord length of 55.40 feet and an arc length of 70.59 feet; 2. North 45°07'29" West, a distance of 285.27 feet; 3. on a curve to the left having a radius of 32.50 feet, a chord bearing of South 67°31'20" West, a chord length of 59.99 feet and an arc length of 76.41 feet to the Northwest (NW) Corner of said Block 11; THENCE North 00°10'08" East, along and with the extended West line of said Block 11, a distance of 72.48 feet; THENCE North 44°52'31" East, a distance of 128.35 feet to the Northwest (NW) Corner of the Journal Entry of Judgement Case No. CV-2017-809 recorded in Book 13451 Page 1345; THENCE along and with the Southwest line of said Journal Entry the following two (2) calls: 1. on a non-tangent curve to the right having a radius of 50.24 feet, a chord bearing of South 12°50'02" West (South 12°12'15" West record), a chord length of 58.98 feet and an arc length of 63.03 feet; 2. South 45°07'29" East (South 45°45'16" East record), a distance of 399.43 feet; THENCE departing said Southwest line on a non-tangent curve to the left having a radius of 77.00 feet, a chord bearing of South 42°08'38" West, a chord length of 71.90 feet and an arc length of 74.80 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.

Further, City expressly reserves a perpetual bike and pedestrian easement for the benefit of the public at least 20 feet in width along the existing street alignment.

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 22nd day of November, 2022.

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