

COPY

ORDINANCE NO. 2770

An Ordinance amending Ordinance 2768, which annexed property into the City of Blackwell, by correcting an error in the legal description, providing for an emergency and waiving second reading.

WHEREAS, Ordinance Number 2768 was passed by the Mayor and City Council of the City of Blackwell, Oklahoma, on the 6th day of April, 2009; and

WHEREAS, Ordinance Number 2768 expands the corporate limits of the City of Blackwell by the annexation of a tract of land located generally east of the railroad right of way and south of Stevens in Section 26, Township 27 North, Range 1 West; and

WHEREAS, the Ordinance was adopted after a public hearing held pursuant to a notice mailed to abutting owners and published in the Blackwell Journal Tribune; and

WHEREAS, the annexation was done with the consent of all the owners of the property being annexed, with over twelve acres owned by the City and approximately one acre owned by a private party; and

WHEREAS, the notice of the hearing and proposed annexation as published and mailed had a correct description of the general location of the property to be annexed and a correct map attached, but the detailed legal description contained a scrivener's error; and

WHEREAS, it is necessary to amend the detailed legal description in order to record the document at the Kay County Courthouse; and

WHEREAS, the Mayor and City Council Members find that the general description and the map provide more information than the detailed legal description to the citizens of Blackwell and anyone interested in the annexation; and

WHEREAS, the Mayor and City Council Members find that no landowner within or immediately adjacent to the parcel has been deceived or misled by the error:

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BLACKWELL, OKLAHOMA:

Section 1. The legal description of the annexed tract as set forth in Section 1 of Ordinance No. 2768 should be, and hereby is, amended to read as follows:

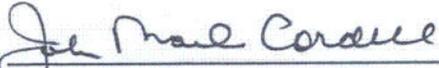
Beginning at a point of the West Right-of-Way (R/W) line of the Atchison, Topeka and Santa Fe Railroad coinciding with the centerline of Stevens Avenue as a true Point of Beginning (POB); thence North on the R/W line a distance of 896.07 feet; thence East for a distance of 989.12 feet; thence South for a distance of 91.74 feet; thence West for a distance of 123.27 feet; thence South for a

distance of 160 feet; thence west for a distance of 313.50 feet; thence South for a distance of 630.60 feet; thence West for a distance of 452.3 feet; thence South for a distance of 30 feet; thence West for a distance of 100 feet; thence North 14 feet to the POB, consisting of 13.5 acres more or less.

Section 2. It being necessary for the public health, safety and welfare of the citizens of Blackwell, an emergency is hereby declared to exist; second reading is waived, and this ordinance shall become effective immediately upon publication.

THIS ORDINANCE APPROVED IN OPEN MEETING THIS 4th DAY OF MAY, 2009, ALL COMMISSIONERS BEING PRESENT AND VOTING ON THE QUESTION OF PASSAGE OF THIS ORDINANCE AS FOLLOWS: CORDELL yea, BECHTEL yea, CARROLL yea, WIRTZ yea, HUDSONPILLAR yea.



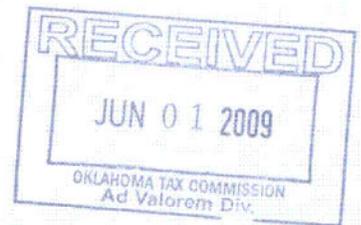

J. Mark Cordell, Mayor

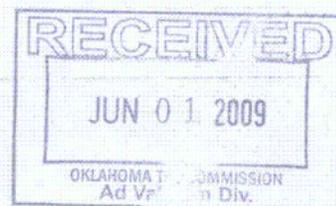
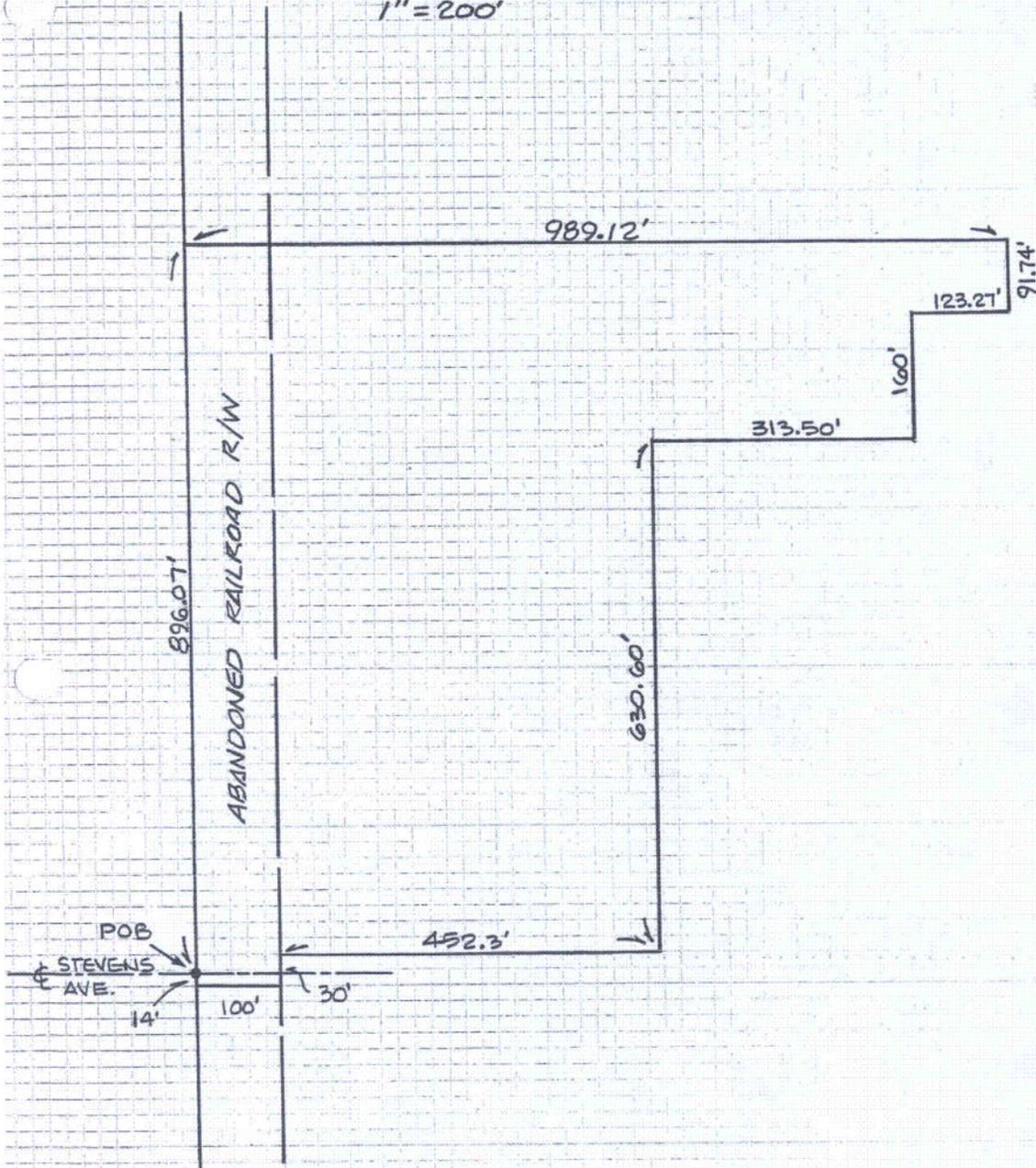

Debra Paige, City Clerk

Emergency and waiver of second reading separately voted upon, passed and approved this 4th day of May, 2009

APPROVED AS TO FORM AND LEGALITY:


Mary Ann Karns, City Attorney





BOUNDARY SURVEY - LAND LOCATED IN
THE S.E. & S.W. QUARTERS OF SECTION 26,
TOWNSHIP 27 NORTH, RANGE 1 WEST OF
THE INDIAN MERIDIAN, BLACKWELL, KAY
COUNTY, OKLAHOMA

EXHIBIT (A) 3/11/09
REVISED 5/4/09