

ORDINANCE NO. 2007-4

AN ORDINANCE ANNEXING CERTAIN TERRITORY LOCATED ADJACENT OR CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF FAIRVIEW, OKLAHOMA, NAMELY A 173.37 ACRE TRACT OF LAND LYING IN THE NORTHWEST QUARTER (NW/4) AND THE NORTH HALF OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION FIFTEEN(15), TOWNSHIP TWENTY-ONE(21) NORTH, RANGE TWELVE (12) W.I.M., MAJOR COUNTY, OKLAHOMA ("TERRITORY"); ACKNOWLEDGING RECEIPT OF A WRITTEN PETITION REQUESTING SUCH ANNEXATION FROM AT LEAST THREE-FOURTHS OF THE REGISTERED VOTERS AND THE OWNERS OF AT LEAST THREE-FOURTHS (IN VALUE) OF THE TERRITORY TO BE ANNEXED, WHICH PETITION WAS FILED WITH THE MAYOR AND CITY COUNCIL OF THE CITY OF FAIRVIEW, OKLAHOMA ("CITY") ON AUGUST 7, 2007 (AND APPROVED BY THE CITY ON SUCH SAME DAY), AND IS ATTACHED AS EXHIBIT "A"; WHICH PETITION REQUESTING SUCH ANNEXATION WAS PUBLISHED ON AUGUST 16TH AND 23RD, 2007, IN THE FAIRVIEW REPUBLICAN, WITH A COPY OF SUCH PUBLICATION ATTACHED AS EXHIBIT "B"; ATTACHING A MAP OF THE ANNEXED TERRITORY AS EXHIBIT "C"; PROVIDING FOR THE AUTHORITY FOR SUCH ANNEXATION; DIRECTING THE MAYOR OR DESIGNEE TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH ATTACHMENTS WITH THE COUNTY CLERK OF MAJOR COUNTY, AND TO AMEND THE CITY'S ZONING MAP TO SHOW THAT SUCH ANNEXED PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE CITY OF FAIRVIEW, OKLAHOMA; PROVIDING FOR PROVIDING FOR REPEALER; SAVINGS; SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FAIRVIEW, OKLAHOMA:

Section I: The Mayor and City Council of the City of Fairview, Oklahoma, hereby amend the corporate limits of the City of Fairview, Oklahoma, by the addition of certain territory as follows:

A tract of land lying in the Northwest Quarter (NW/4) and the North Half of the Southwest Quarter (N/2 SW/4) of Section Fifteen(15), Township Twenty-One(21) North, Range Twelve (12) W.I.M., Major County, Oklahoma, being further described as follows:

Beginning at a point 1307.98 feet East of the Northwest Corner of said NW/4, Thence S-00°10'11"-E a distance of 569.63 feet, thence S-05°44'58"-W a distance of 157.45 feet, thence S-56°34'11"-W a distance of 195.07 feet, thence S-00'00'06"-W a distance of 977.04 feet, thence N-89°44'36"-W a distance of 1038.06 feet to the East Right-of-Way line of US Highway #60, thence S-00°33'00"-W along said R.O.W. line a distance of 2120.63 feet, thence S-89°40'19"-E a distance of 833.05 feet to the West line of Fairview Airport Property, thence N-01°16'10"-E a distance of 843.5 feet, thence S-89°40'19"-E a distance of 450 feet, thence S-01°16'10"-W a distance

of 843.5 feet, thence S-89°40'19"-E a distance of 1237.60 feet to the East line of said NW/4 and N/2 SW/4, thence Northerly along said East line a distance of 3937.80 feet to the Northeast corner of said NW/4, thence N-89°19'35"-W a distance of 1326.97 feet to the point of beginning, containing 173.37 Acres, more or less.

which territory is adjacent and contiguous to the corporate limits of the City of Fairview, Oklahoma, and as further shown and described by the map attached hereto as Exhibit "C" and incorporated herein by reference as if fully set out.

Section II: The Mayor and City Council hereby acknowledge the receipt of a petition from at least 3/4 of the registered voters and the owners of at least 3/4 in value of the property sought to be annexed, and hereby legislatively find that such consent by petition was lawfully made and given, and hereby attach a copy of such petition to this ordinance as Exhibit A. The Mayor and City Council also find that the petition requesting annexation was published on August 16th and 23rd, 2007, in the Fairview Republican, with a copy of such publication attached as Exhibit "B".

Section III. The Mayor and City Council of the City of Fairview, Oklahoma, further find that the publication set out the date and time of the public hearing to consider the Annexation Petition; that the public hearing was conducted at that date and time and it was legislatively determined to be in the best interest of the City of Fairview and the public generally to approve this annexation ordinance.

Section IV. The legal authority for this annexation is 11 O.S. 21-105.

Section V: The Mayor and City Council hereby direct the Mayor or designee to file a certified copy of this ordinance with attachments with the County Clerk of Mayor County and with the Ad Valorem Division of the Oklahoma Tax Commission, and to amend the City of Fairview's Zoning Map to show that such annexed property is now within the corporate limits of the City of Fairview, Oklahoma.

Section VI. REPEALER. All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed.

Section VII. SAVINGS CLAUSE. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this

ordinance.

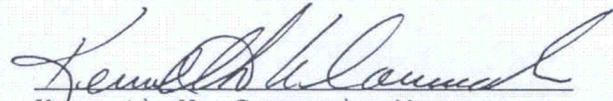
Section VIII. SEVERABILITY. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the Mayor and City Council of the City of Fairview, Oklahoma, that this ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part not been included.

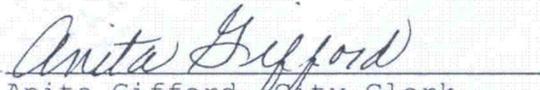
Section IX. EMERGENCY. In order to protect the health, safety and welfare of the general public of the City of Fairview, Oklahoma, and in order to immediately annex the annexed property into the corporate limits of the City of Fairview, Oklahoma, an emergency is hereby declared; therefore, this ordinance shall become effective from and after its date of publication.

PASSED AND APPROVED by the Mayor and City Council of the City of Fairview, Oklahoma, on the 4th day of September 2007.

THE CITY OF FAIRVIEW, OKLAHOMA

SEAL
(ATTEST)


Kenneth W. Carmack, Mayor


Anita Gifford, City Clerk

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FAIRVIEW REPUBLICAN

Hoby Hammer, Publisher

Serving Major County Since 1889

112 N. Main • Box 497 • Fairview, Oklahoma • 580-227-4439

I, Michelle Brown, of lawful age, being duly sworn upon oath, deposes and says: That I am the Business Manager of The FAIRVIEW REPUBLICAN, a weekly newspaper printed and published in the city of Fairview, County of Major, and state of Oklahoma, and that the advertisement referred to, a true and printed copy is hereunto attached, was published in said FAIRVIEW REPUBLICAN in consecutive Issues on the following dates to wit:

1st insertion:

August 16, 2007

2nd insertion:

August 23, 2007

3rd insertion:

4th insertion:

That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as publications (second-class) mail matter, that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the State of Oklahoma governing legal publications.

Publisher's Fee \$230.46

Michelle Brown

Business Manager

SUBSCRIBED and sworn to before me this 23rd day of August, 2007



(Published in the Fairview Republican August 16 and 23, 2007)

ANNEXATION PETITION

We, the undersigned property owners and signatories, who hereby certify that we constitute at least three-fourths of the registered voters and the owners of at least three-fourths (in value) of the real property herein described, and further certify that the Real Property as hereinafter described is adjacent or contiguous to the corporate limits of the City of Fairview, Oklahoma, hereby request the annexation of the Real Property into the corporate limits of the City of Fairview, Oklahoma, by signing and filing this Annexation Petition with the Mayor and City Council of the City of Fairview, Oklahoma.

The Real Property sought to be annexed is described as follows:

A tract of land lying in the Northwest Quarter (NW/4) and the North Half of the Southwest Quarter (N/2 SW/4) of Section Fifteen (15), Township Twenty-One (21) North, Range Twelve (12) W.I.M., Major County, Oklahoma, being further described as follows:

Beginning at a point 1307.98 feet East of the Northwest Corner of said NW/4, Thence S-00°10'11"-E a distance of 569.63 feet, thence S-05°44'58"-W a distance of 157.45 feet, thence S-56°34'11"-W a distance of 195.07 feet, thence S-00°00'06"-W a distance of 977.04 feet, thence N-89°44'36"-W a distance of 1038.06 feet to the East Right-of-Way line of US Highway #60, thence S-00°33'00"-W along said R.O.W. line a distance of 2120.63 feet, thence S-89°40'19"-E a distance of 833.05 feet to the West line of Fairview Airport Property, thence N-01°16'10"-E a distance of 843.5 feet, thence S-89°40'19"-E a distance of 450 feet, thence S-01°16'10"-W a distance of 843.5 feet, thence S-89°40'19"-E a distance of 1237.60 feet to the East line of said NW/4 and N/2 SW/4, thence Northerly along said East line a distance of 3937.80 feet to the Northeast corner of said NW/4, thence N-89°19'35"-W a distance of 1326.97 feet to the point of beginning, containing 173.37 Acres, more or less.

In further support of this Annexation Petition, we would state as follows:

1. This annexation petition is authorized pursuant to Oklahoma Statutes 11 §21-105.
2. We hereby give notice of the presentation of this annexation petition by publishing this Annexation Petition at least once each week for two (2) successive weeks in a newspaper of general circulation in the City of Fairview, Oklahoma.
3. A public hearing will be held on this Annexation Petition on the 4th day of September, 2007,

at 5:30 p.m., in the Council Chamber of the City of Fairview located at 123 S. Sixth Street, Fairview, Oklahoma 73737. All interested parties are invited to attend. The Mayor and City Council may annex by ordinance the Real Property to the corporate limits of the City of Fairview, Oklahoma, at that time.

Approved and executed this 7th day of August 2007.

PROPERTY OWNERS

THE CITY OF FAIRVIEW, OKLAHOMA

Kenneth W. Carmack, Mayor

ATTEST

(SEAL)

Anita Gifford, City Clerk
STATE OF OKLAHOMA

SS:

COUNTY OF MAJOR

Before me the undersigned, a Notary Public, in and for the County and State on this 7th day of August, 2007, personally appeared Kenneth W. Carmack known to me to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as the Mayor of and on behalf of the City of Fairview, Oklahoma, and as the free and voluntary act of the City of Fairview, Oklahoma, as for the uses and purposes therein set forth.

Given under my hand and seal the day and year above written.

Amy Gibson
Notary Public

My Commission expires: 1/2010

Approved and executed this 9th day of August 2007.

CK ASSETS, L.L.C.

Chris Keeton, Authorized Representative & Manager

ATTEST

(SEAL)

N/A

Secretary
STATE OF OKLAHOMA

SS:

COUNTY OF WOODWARD

Before me the undersigned, a Notary Public, in and for the County and State on this 9th day of August, 2007, personally appeared Chris Keeton, known to me to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as the Authorized Representative & Manager of and on behalf of the CK ASSETS, L.L.C., an Oklahoma limited liability company, and as the free and voluntary act of the CK ASSETS, L.L.C., an Oklahoma limited liability company, as for the uses and purposes therein set forth.

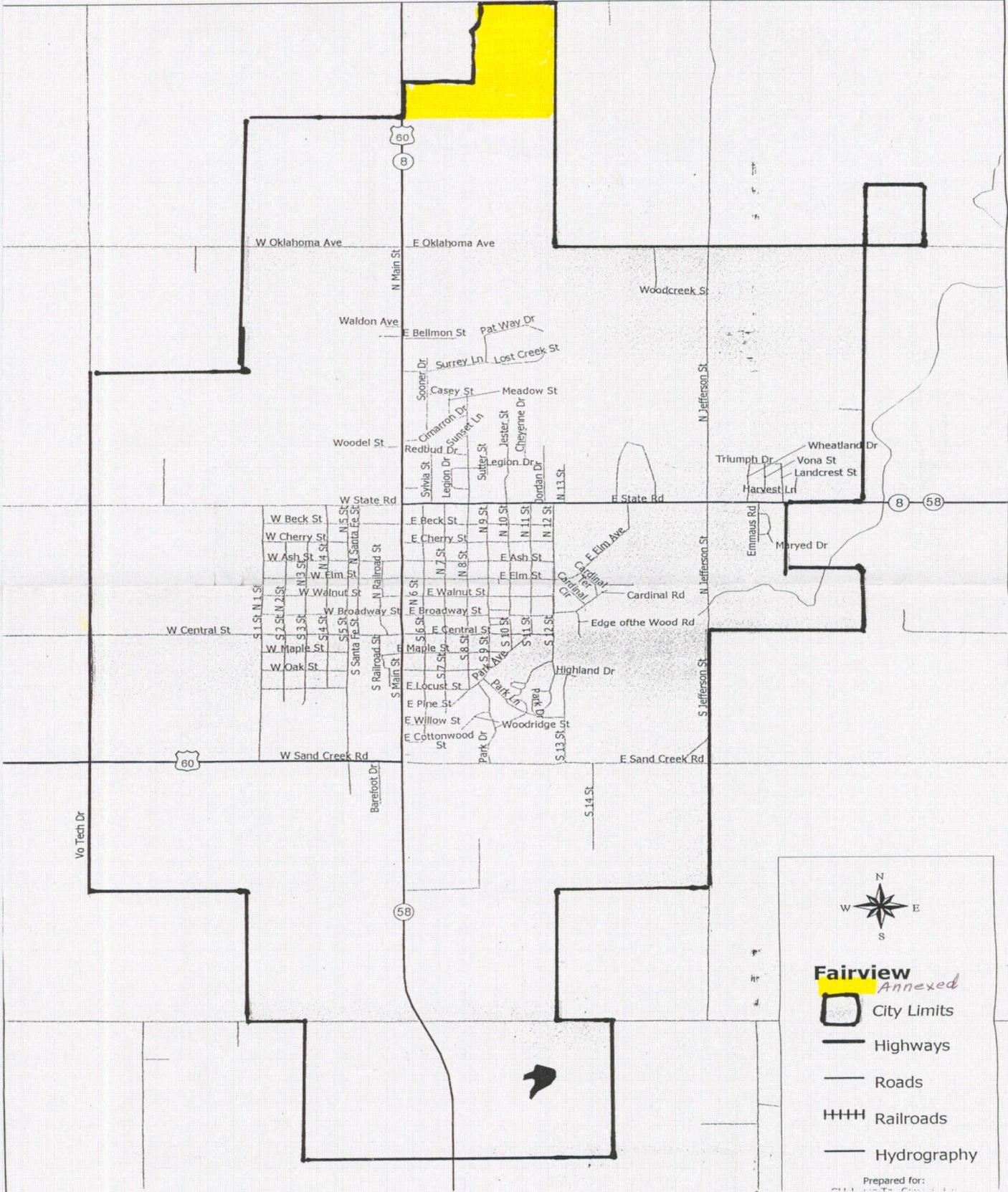
Given under my hand and seal the day and year above written.

Julie Perkins

Notary Public #04011239

My Commission expires: 12-15-08

Fairview, Oklahoma Major County



Fairview *Annexed*

-  City Limits
-  Highways
-  Roads
-  Railroads
-  Hydrography

Prepared for: