

ORDINANCE NO. 2006-11
AN ORDINANCE ANNEXING CERTAIN CONTIGUOUS LAND TO
THE TOWN OF GENE AUTRY, OKLAHOMA

ORDINANCE NO. 2006-11; An Ordinance Annexing Certain Contiguous Land to the Town of Gene Autry, Oklahoma, and All Matters Related Thereto WHEREAS, the Town Council of the Town of Gene Autry, Carter County, Oklahoma seeks to annex certain contiguous territories to the Town of Gene Autry, pursuant to 11 Okla. Stat. 21-103 et. Seq. and WHEREAS, THE Town Council of the town of Gene Autry, Carter County, Oklahoma has deemed it to be necessary and equitable for the future development for the Town of Gene Autry that said territories be annexed to provide for the organized, coherent and planned administration of the Town; and WHEREAS, the Town Council of the Town of Gene Autry, Carter County, Oklahoma has duly considered said annexation and has determined said annexation to be in the best interests of the health, safety and welfare of the Town of Gene Autry, Carter County, Oklahoma; as said land is necessary for the present and future growth of the Town of Gene Autry, Oklahoma; and WHEREAS, THE Town Council of the Town of Gene Autry, Oklahoma, Carter County, Oklahoma has determined that the territory sought to be annexed, well within the prescribed time limits, shall be provided with governmental and proprietary services by the Town in the same manner as those services are provided to areas within the municipal corporate boundaries that have similar topography.

ORDINANCE NO. 2006-11; AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE TOWN OF GENE AUTRY, OKLAHOMA, MAKING FINDINGS OF FACT; ANNEXING AN AREA ADJACENT TO THE TOWN OF GENE AUTRY INTO AND AS A PART OF THE CORPORATE LIMITS OF SAID TOWN OF GENE AUTRY, AS SAID ANNEXATION IS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR ZONING OF THE ANNEXED AREA; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY. WHEREAS, a proposal has been presented to the Trustees of the Town of Gene Autry proposing consideration, approval, and passage of an ordinance extending and annexing into the corporate limits of the Town of Gene Autry certain real property adjacent to the Town under the Ordinances of the Town of Gene Autry, and the laws of the State of Oklahoma, and said Trustees after hearing the facts and being sufficiently advised, is of the opinion that all requirements necessary for the annexation of said property to the Town of Gene Autry and to extend the corporate limits thereof have been complied with as provided by the Ordinances of the Town of Gene Autry, and the laws of the State of Oklahoma s set out in 11 Okla. Stat. 21-103 et. Seq. including, but not limited to the following:

1. A resolution proposing the annexation of the property described herein, directing that notice be given as required by law, and approving a proposed plan for extension of present services was adopted by the Trustees of the Town of Gene Autry on the 11th day of SEPTEMBER, 2006.

2. Notice of the proposed annexation of the property described herein was published in a newspaper of general circulation in the territory to be annexed, within fourteen (14) days of the approval of a resolution proposing the annexation.
3. Notice of the proposed annexation of the property described herein was mailed, as required by statute, to the Commissioners of Carter County, and to all owners of property proposed to be annexed as shown by the current year's ownership rolls in the office of the County Treasurer of Carter County, Oklahoma, within fourteen (14) days of the approval of a resolution proposing the annexation.
4. A public hearing was held concerning the proposed annexation and the proposed service plan on the 2ND day of OCTOBER, 2006, at 7:00 o'clock p.m., which date was no earlier than fourteen (14) days nor more than thirty (30) days following the publication and mailing of the notice set forth above.
5. At the public hearing the proposed plan for extension of present services was available for inspection and explained to the property owners of the territory to be annexed.
6. That the property to annexed is adjacent to property already within the municipal limits.
7. That the written consent of more than a majority of the acres to be annexed has been obtained by the Town of Gene Autry, Oklahoma.

**BE IT ORDAINED BY THE TRUSTEES OF THE TOWN OF GENE
AUTRY, OKLAHOMA:**

Section 1. Annexed Territory

That said area, situated in Carter County, Oklahoma, shall become attached to and be within the corporate limits of the Town of Gene Autry, Oklahoma, and shall hereafter be considered an integral part of the corporate limits, and said corporate limits to the Town of Gene Autry, Oklahoma, are extended and enlarged so as to include all of the property described as follows, to-wit:

SECTION 5-3S-3E

SW SW-NW SW-N/2 NE SW-SW SE NW-SW NW-NW NW-W/2 NE NW- 05 03S 03E,

SECTION 6-3S-3E

E/2 E/2 SE- E/2 SE NE- and .28AC TO COUNTY RD- 06 03S 03E
NE NW-W/2 SE NW-and .36AC TO GOV LOTS- 06 03S 03E

NE SW NE-SE SW-W/2 NE SE- SW SE- W/2 SE SE- and 1.30AC TO COUNTY RD- 06 03S 03E;
W/2 SW NE-SW SE NE- SE SW NE- NE SW-NW SE- 1980 14X60 MH/WAYSIDE -06 03S 03E;
NW NW-E OF RR 06 03S 03E
NW SE NE- 06 03S 03E,
E/2 SE NW- 06 03S 03E,
SW NW-and 1.53AC TO GOV LOTS- 06 03S 03E,
N/2 NE-and .87AC TO GOV LOTS- 06 03S 03E,
ALL OF LOT 4 NW NW-W OF R R-06 03S 03E,
NW SW and W 700 N 725-SW SW- and 3 AC TO GOV LOTS- 06 03S 03E,
W 400' NW NW SW-N 65.71 W 400' SW NW SW-PT NW SW BEG 400 E NW/C; S89.042W 300; N0.2042E 725; N89.042E 300; N0.2042W 725 TO POB- 1976 NEW MOON 14X70 F/D 9750 # 12004389 and .01AC TO GOV LOTS- 06 03S 03E,

SECTION 7-3S-3E

E420' S240' SE NW NE- 07 03S 03E,
S/2 NW NW- NE NW NW- NE NW- SE NW- S/2 SW NW- E/2 NE SW NW- NW SW NW- LESS 2.88AC TO GOV LOTS and 1.12AC TO COUNTY RD- 07 03S 03E,
W/2 NE SW NW-and 1/2 A- 07-03S 03E,
S 147.58 N 525 W 147.58 W/2 NE SW NW- 07 03S 03E,
NW NW NW-and .36 AC TO COUNTY RD- 07 03S 03E,
NW NE and E420' S240' and .31AC TO COUNTY RD ROW- 07 03S 03E

SECTION 1-3S-2E

NW NE NE-NE NW-NW NE-E/2 NW NW -NW NW NW-ALL SW NW NW LYING NORTH & EAST OF COOL CREEK- 01 03S 02E,
SW NW-7 A. OF SW NW NW-W/2 SW- W/2 SE SW-and .9 AC TO RD UND 1/2 INT. 01 03S 02E,
E/2 SE SW-NE SW-SE NW-W/2 NW SE-SW SW NE-and .3 AC TO RD 01 03S 02E,
E/2 SE-E/2 NW SE-S/2 SW SE-E/2 NE SW SE-SW NE SW SE-S/2 NW SW SE-SE NE-S/2 NE NE-NE NE NE- E/2 SW NE-NW SW NE-and 6.61 A R.R. -01 03S 02E,
BEG AT NW/C OF NW SW SE; S 132; E 330; N 132; W 330 TO POB- 01 03S 02E,
N/2 NW SW SE LESS BEG AT NW/C OF NW SW SE; S 132; E 330; N 132; W 330 TO POB- NW NE SW SE- 01 03S 02E,
SW NW-7 AC OF SW NW NW-W/2 SW- W/2 SE SW- UND 1/2 INT 01 03S 02E

SECTION 12-3S-2E

SE NW and S115 E190- NE SW and N195 E190- SW SW SE-NE SE SW-and .031AC & LESS 1.35 AC TO #9254-and 1.21 AC TO RD-and 8 AC TO RR 12 03S 02E,
W/2 SE SW-SE SE SW- 12 03S 02E,
W/2 NW and E 172 N 290.2 and BEG 172 W NE/C NE NW NW; S 290.4; NWLY TO A POINT 100 W OF POB; E 100 TO POB- W/2 NE NW and N 295 E 295 NW NE NW & LESS W 128 N 290.4 NW NE NW-and .55 AC TO RD 12 03S 02E,
NW SW- 12 03S 02E,
N/2 SW SW- 12 03S 02E,
E/2 NE NW-and 1.3 AC TO RD 1996 56X28 MASTERPIECEN981955B SN#-E/2 NE NW-and 1.3 AC TO RD 1996 56X28 MASTERPIECEN981955B SN#-MX280143TUR218519
S/2 SW SW- 12 03S 02E,
E/2 SE and 1.2 A.-NE SW SE-LESS PT SE DESCRIBED AS BEG 1174.23 N AND 656.64 E SW/C SE; S72.3829E 1797.32; C/LEFT CHORD BEARING S81.1915E 189.78 RADIUS 628.80; N90.E 85.46; S00.2636E 20; N90.W 64.87; C/RIGHT CHORD BEARING N83.0134W 157.55 RADIUS 648.80; N76.0309W 1820.48; N00.1701W 126.95 TO POB- 12 03S 02E,
1.2 A. PT. NE NE SE- 12 03S 02E,

NW SW SE and A TRACT OF LAND DESCRIBED AS BEG 1321.30 N AND 136.95 E SW/C SE; N89.4521E 18.51; CURVE LEFT CHORD BEARING S66.2359E 142.21 RADIUS 653.80; S72.3829E 386.82; S00.1701E 111.03; N76.0309W 193.71; S58.5651W 74.33; N76.0309W 45.68; CURVE RIGHT CHORD BEARING N63.5755W 154.69 RADIUS 653.80; N19.0540W 137.59 TO POB-and 2.31 AC TO RR- 12 03S 02E,
S/2 NE NE-SE NW NE and 1 A.- and .21 AC TO HWY ROW- 12 03S 02E,
N 208.71 E 208.71 SE NE NE- 12 03S 02E,
SW NE-and 1.6 AC TO RD 12 03S 02E,
PT. E OF R.R. OF N/2 N/2 NE- SW NW NE- 12 03S 02E,
NW SE- and .25 AC FOR ROAD- 12 03S 02E,
SE SW SE- 12 03S 02E,
PT. W/2 NW NE-4 A. PT. NE NW NE-W OF R.R. 12 03S 02E,
BEG. NE/C NW NE NW; S 295; W 295; N 295; E 295 TO POB 12 03S 02E,
W 128 N 290.2 NW NE NW-E 172 N 290.2 NE NW NW-TRI W 100 E 272 ON N TO A PT. 172 E & 290.2 S OF NE NW NW 12 03S 02E,
S115 E190 SE NW- N195 E190 NE SW- 12 03S 02E,
SE NE- and 1.21 AC FOR COUNTY ROAD- 12 03S 02E

SECTION 13-3S-2E

APPROX. 14.72 A. PT. S/2 NE NE -N OF R.O.W. and 2.11AC TO ROAD ROW- 13 03S 02E,
NW SW NE- 13 03S 02E,
PT OF THE NE NW BEG N OF HWY. R.O.W. & SW OF CREEK -DESCRIBED AS BEG AT A POINT ON WEST LINE NE NW CENTER OF HWY 53; E 1050; N4.19E 311.4; N42.41W 189.85; N52.14W 236; S40.49W 109.1; S23.23W 137.51; N81.52W 67; N6.35W 293.1; N54.25E 147.25; N9.55E 101.6; N50.54W 80.1; S81.34W 63.3; S56.25W 113.6; N66.06W 199.6; S87.58W 192.13; S2.08W 134.35; S63.32W 116.5; S 511.4; E 208.5; S 208.5; W 208.5 TO POB-and BEG NE/C NW; N89.5047W 1324.01; S00.1416W 912.83; N87.1922E 192.96; N015758W 58.50 TO TRUE POB; S813609E 292.62; S00.1416W 211.00; S87.1920W 272.01; N00.1416E 208.71; S87.1922W 15.77; N01.5758W 58.50 TO POB-and .413 AC TO RD ROW 13 03S 02E,
N 110 S 228.8 W 187 E 338.9 SE NE NE- 13 03S 02E,
NE NW and 15 A.-W/2 NW NE-N OF HWY and 1 A.-andS 1.74A TO HWY- 13 03S 02E,
N 210 E 420 NE SE NE-13 03S 02E,
E/2 NW NE and BEG SW/C; N 322.69; S78.0821E 118.96; SELY ALONG RR 314.77; W 219.65 TO POB and BEG SE/C; W 335.43; NWLY ALONG RR 279.68; ERLY ON CURVE/RIGHT CHORD BEARING S86.1417E RADIUS 10,782.96 DIST 39.82; S 252.15 TO POB- N/2 NE NE- LESS .83 AC TO RR- 13 03S 02E,
W/2 NW NW-and 2 1/2 A. and 0.25 AC TO HWY 13 03S 02E,
W/2 E/2 NW NW-and .25 ACRES TO HWY- 13 03S 02E,
S/2 AC. E/2 NW NW-and 1.43 AC TO HWY- 13 03S 02E, (STATE HWY)
APPROX. W 463 E 644 SE NE NE SOUTH OF HWY. R.O.W.(1.31 A. HWY.) 13 03S 02E,
(STATE HWY)
W 434 SW NE NE S OF HWY. R.O.W AND A PT OF THE SE NW NE DES. IN DEED 2027-1 13 03S 02E, (STATE HWY)
1 A. SQ. IN SW/C SW NE NW- and .08 AC TO HWY ROW- 13 03S 02E,
BEG. AT A PT. 644' W OF SE/C SE NE NE THENCE W 242 N 70 SE/4 E 243 S 50 TO P.O.B. and 0.33 AC TO HWY 13 03S 02E, (STATE HWY)
A PART OF THE NE NE NE BEG AT A POINT 88' S OF NE/C (PT BEING A RR SPIKE FLUSH IN ASPHALT RD); S00.1243W 140'; N89.4252W 311.14'; N00.12143E 140'; S89.4252E 311.14 TO P.O.B.- 13 03S 02E
BEG SE/C S/2 NE NE; W 181.5; N 240; E 181.5; S 240 TO POB-and .38 AC TO HWY- 13 03S 02E
PT NE NW BEG NE/C NW; N89.5047W 1324.01; S00.1416W 912.83; N87.1922E 192.96; N015758W 58.50 TO TRUE POB; S813609E 292.62; S00.1416W 211.00; S87.1920W 272.01; N00.1416E 208.71; S87.1922W 15.77; N01.5758W 58.50 TO POB-LESS .157 AC TO HWY 53- 13 03S 02E, 1986 DEROSE 14X66 MH SN TX147644792D TN 451093326003C
N 8 A. E/2 E/2 NW NW- and 0.08 AC TO HWY 13 03S 02E,

BEG 401.43 S NW/C NE NW; N59.5100E 116.5; N01.3300W 134.35; N84.1700E 69.76;
S01.5758E 702.76; S87.1922W 192.96; N00.1415E 511.39 TO POB- 13 03S 02EBEG. SE/C SE
SE SE; N3749.83; W420; N210; W1288.06; SERLY 4189.47; E351.7 TO POB ALL LYING
EAST OF RR CONTAINING 91.10 AC-DESCRIBED AS BEG SE/C OF SEC; N0.2002W
3749.83; S89.4902W 420; N0.2002W 210; S89.4902W 1288.06; S19.1325E 4189.47; N89.4452E
351.71 TO POB LESS BEG 87.41 W SE/C OF SEC; S89.4253W 211.47; N19.1424W 151.64;
N70.4536E 200; S19.1424E 220.33 TO POB-and.5AC TO COUNTY RD 13 03S 02E,
BUILDING ON LEASED LAND N 8 A E/2 E/2 NW NW- LAND OWNED BY AMOS REED,
JR. 13 03S 02E,
A PART OF ABD. RR BEG. 87.41' WEST OF SE/C OF SEC. 13; S89.4254W 211.46;
N19.1424W 151.64; N70.4536E 200; S19.1424E 220.33 TO POB CONTAINING .85 AC MORE
OR and 13 03S 02E

Section 2. Zoning Classification

Said property shall retain its current zoning classification, if any, and if the same is not presently zoned, it shall be classified as follows: A-1 GENERAL AGRICULTURAL

Section 3. Plan for Extension of Services

The Plan for Extension of present and future Municipal Services to Annexed Area, which is hereby incorporated into and made a part of this ordinance.

Section 4. 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 Trustees of the Town of Gene Autry that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 5. Emergency Clause

It being immediately necessary for the preservation of public health, peace, and safety, 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 and approval.

PASSED AND APPROVED THIS 11TH

DAY OF SEPTEMBER, 2006.

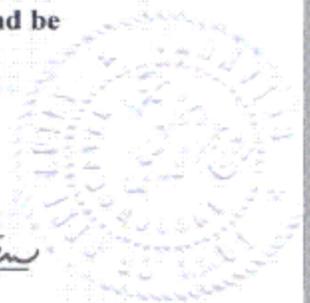

GREGG R. SWEETEN, MAYOR

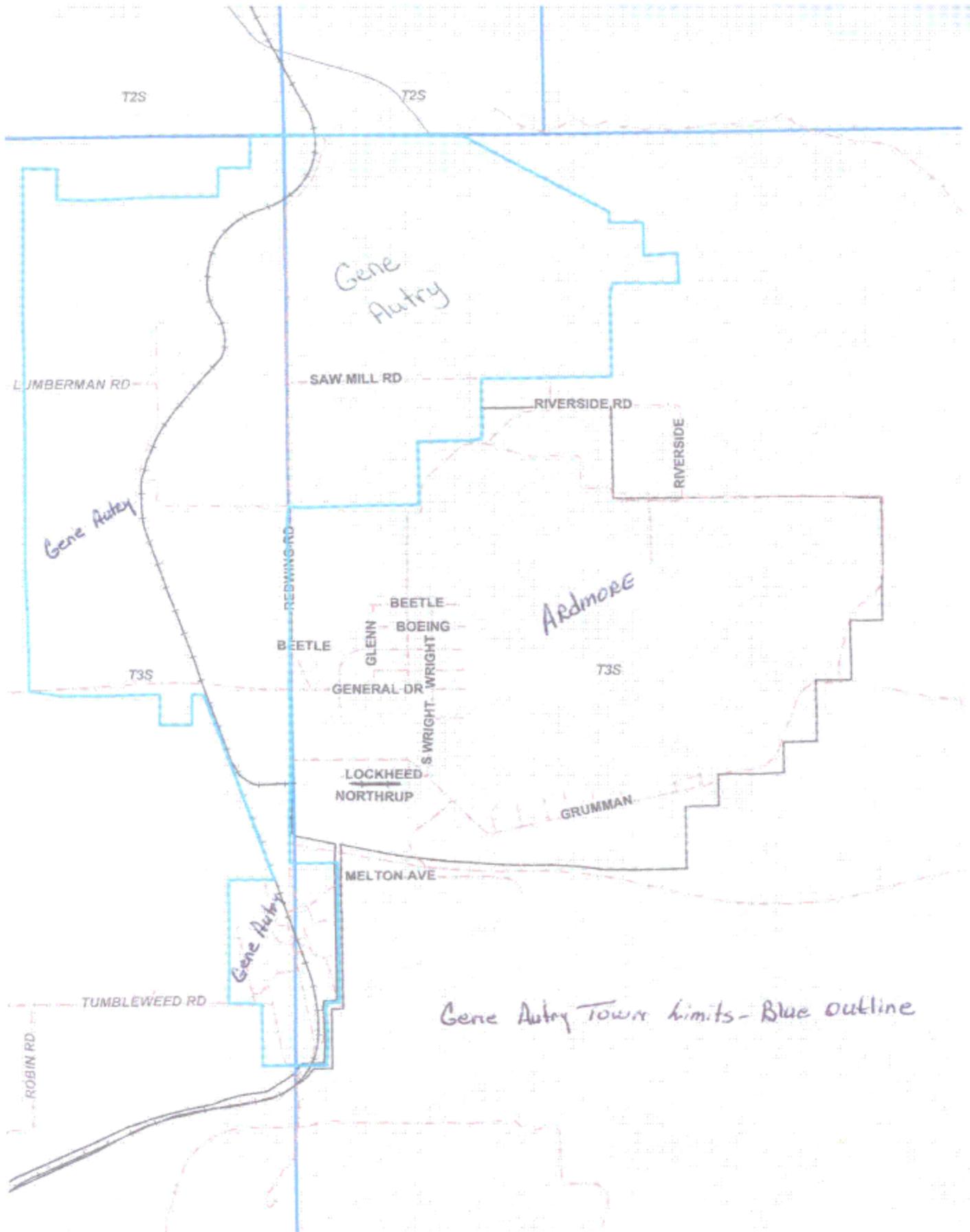

DONALD MORGAN, TRUSTEE


JIMMY BROCK, TRUSTEE

SEAL


ELVIN R. SWEETEN, CLERK





Gene Autry Tower limits - Blue outline

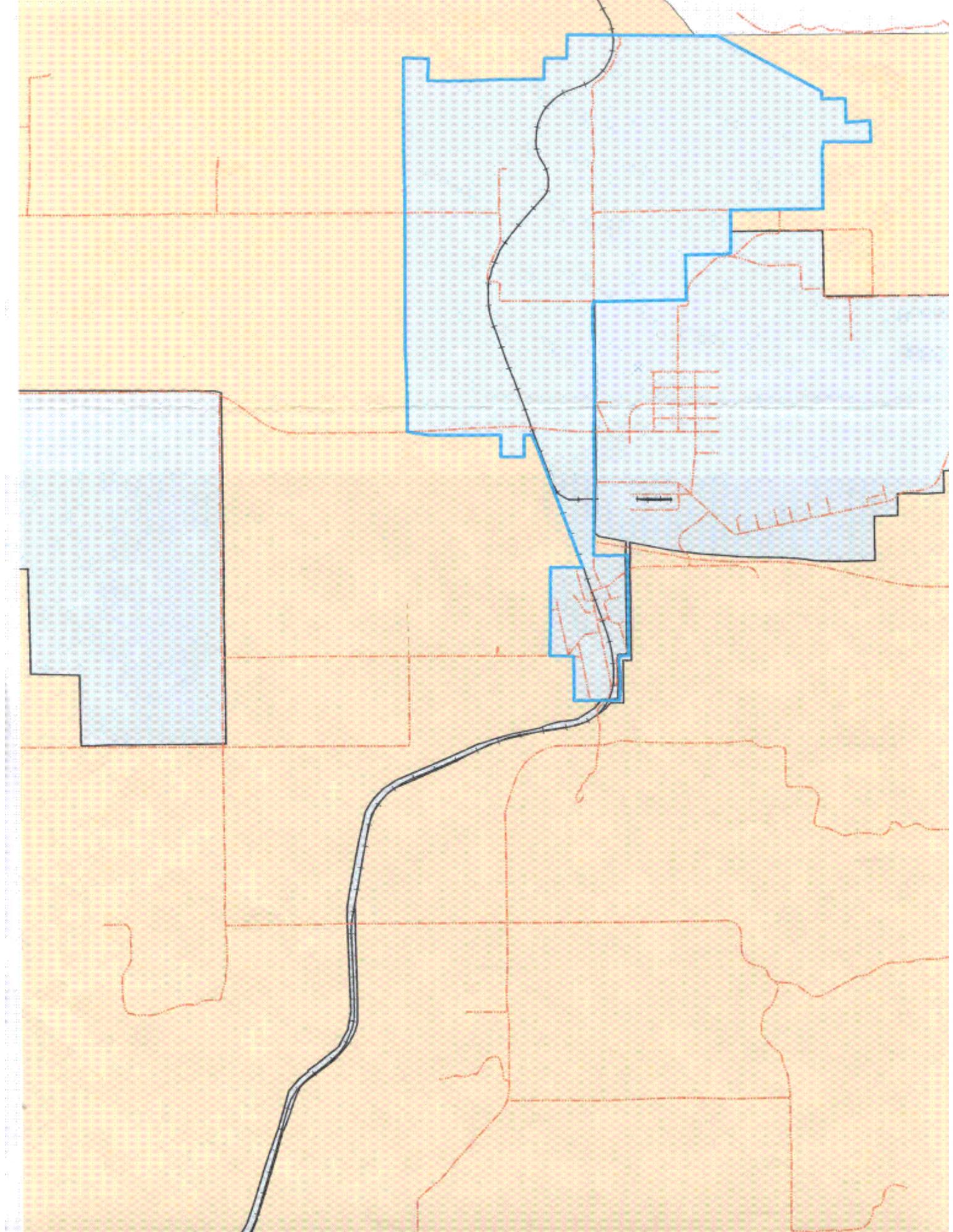


FIG. 4. GENERAL LAYOUT OF THE PROPOSED DEVELOPMENT. THE PROPOSED DEVELOPMENT IS SHOWN IN BLUE. THE EXISTING DEVELOPMENT IS SHOWN IN RED. THE PROPOSED DEVELOPMENT IS SHOWN IN BLUE. THE EXISTING DEVELOPMENT IS SHOWN IN RED.