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COUNTY CLERK
McCLAIN COUNTY, OK

√ By PB Deputy

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Town of Goldsby
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Goldsby, OK 73093

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TOWN OF GOLDSBY
ORDINANCE 2007-6
(RE-ENACTMENT)

AN ORDINANCE OF THE TOWN OF GOLDSBY, OKLAHOMA, EXTENDING THE CORPORATE LIMITS OF THE TOWN OF GOLDSBY, OKLAHOMA BY ANNEXING TERRITORY ADJACENT TO THE TOWN MORE FULLY DESCRIBED AS FOLLOWS:

All portions of Section 9, Township 7 North, Range 2 West, I.M., situated west of the west edge of the right-of-way of Interstate Highway 35 in McClain County, Oklahoma LESS AND EXCEPT HOWEVER such portion thereof, if any, previously annexed into the City of Purcell, Oklahoma by Ordinance No. 00-12 recorded in Book 1553 beginning at page 380 of the records of the McClain County Clerk and described in Tract 21 or Tract 22 of said Ordinance;

All portions of Section 16, Township 7 North, Range 2 West, I.M., situated west of the west edge of the right-of-way of Interstate Highway 35 in McClain County, Oklahoma LESS AND EXCEPT HOWEVER such portion thereof, if any, previously annexed into the City of Purcell, Oklahoma by Ordinance No. 00-12 recorded in Book 1553 beginning at page 380 of the records of the McClain County Clerk and described in Tract 25, 26,27, or 28 of said Ordinance;

All portions of Section 15, Township 7 North, Range 2 West, I.M., situated west of the west edge of the right-of-way of Interstate Highway 35 in McClain County, Oklahoma LESS AND EXCEPT HOWEVER such portion thereof, if any, previously annexed into the City of Purcell, Oklahoma by Ordinance No. 00-12 recorded in Book 1553 beginning at page 380 of the records of the McClain County Clerk and described in Tract 23 or Tract 24 of said Ordinance; and

The North One-Half (N2) of Section 21, Township 7 North, Range 2 West, I.M.;

INCORPORATING THE SERVICE PLAN FOR THE PROVISION OF MUNICIPAL SERVICES TO THE ANNEXED TERRITORY; SETTING FORTH THE TIME PERIOD FOR COMPLETION OF IMPLEMENTATION OF THE SERVICE PLAN; AND DECLARING AN EMERGENCY TO EXIST BY REASON WHEREOF THIS ORDINANCE IS TO BE IN FULL FORCE AND EFFECT IMMEDIATELY UPON ITS ADOPTION.

WHEREAS, pursuant to the authority conferred upon the Town Board of Trustees by Section 21-104 of Title 11 of the Oklahoma Statutes, the Town Board of Trustees of Goldsby, Oklahoma proposed to annex, by governing body action, certain territory adjacent to the town which has not been platted; and

WHEREAS, the Goldsby Water Authority presently provides water utility services to portions of the territory proposed to be annexed; and

WHEREAS, in conformity with said statute, the Town Board of Trustees caused to be prepared a plan to extend appropriate town services to the territory to be annexed; and

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WHEREAS, in conformity with said statute, the Town Board of Trustees by Resolution duly adopted on May 9, 2007 directed that notice of the proposed annexation of the territory be published in conformity with the requirements of said statute, and caused said notice to be published on May 17, 2007 in the Purcell Register, a newspaper of general circulation, which is printed in the City of Purcell, and which has been continuously and uninterruptedly published in the county, and

WHEREAS, in conformity with said statute, the Town Board of Trustees caused a copy of said notice to be mailed in conformity with the requirements of said statute: by first-class mail to all owners of property to be annexed as shown by the current year's ownership rolls in the office of the county treasurer and to the Department of Transportation; by certified mail to every person who owned parcels of land of five (5) acres or more used for agricultural purposes and to the board of county commissioners of McClain County; and

WHEREAS, said notice gave notice of the proposed annexation; described the boundaries of the territory to be annexed by legal description, reference to geographical location, and by map; gave notice that the service plan had been prepared and was available for inspection at the office of the Town Clerk at the Goldsby Town Hall, 100 East Center Road, Goldsby, Oklahoma 73093; and further stated that the Town Board of Trustees would conduct a public hearing on the question of annexing the territory on June 11, 2007 at 6:00 p.m. at the Goldsby Town Hall, 100 East Center Road, Goldsby, Oklahoma 73093; and

WHEREAS, the Town Board of Trustees did conduct the public hearing on June 11, 2007 at 6:00 p.m. at the Goldsby Town Hall, that being date, time and place for hearing stated in the notice and being not earlier than 14 days nor later than 30 days following the publication and mailing of the notice; and

WHEREAS, at the public hearing the proposed service plan was available for inspection and was explained in conformity with the provisions of said statute; and

WHEREAS, the territory to be annexed has an assessed valuation smaller than the assessed valuation of the Town; and

WHEREAS, it appears that the territory to be annexed is adjacent to the Town of Goldsby, and that in planning the future growth and development of the Town, the Board of Trustees has determined that it is in the interest of the Town of Goldsby, Oklahoma and the citizens and residents thereof that the territory be annexed to the Town; and

WHEREAS, it appears that the City of Purcell has acted outside the scope of legislative authority in the adoption of ordinances purporting to annex the territory herein described;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GOLDSBY, OKLAHOMA, THAT:

SECTION 1. ANNEXATION. The corporate limits of the Town of Goldsby, Oklahoma shall be and the same are hereby extended to include the following designated or described lands and territory:

All portions of Section 9, Township 7 North, Range 2 West, I.M., situated west of the west edge of the right-of-way of Interstate Highway 35 in McClain County, Oklahoma LESS AND EXCEPT HOWEVER such portion thereof, if any, previously annexed into the City of Purcell, Oklahoma by Ordinance No. 00-12 recorded in Book 1553 beginning at page 380 of the records of the McClain County Clerk and described in Tract 21 or Tract 22 of said Ordinance;

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All portions of Section 16, Township 7 North, Range 2 West, I.M., situated west of the west edge of the right-of-way of Interstate Highway 35 in McClain County, Oklahoma LESS AND EXCEPT HOWEVER such portion thereof, if any, previously annexed into the City of Purcell, Oklahoma by Ordinance No. 00-12 recorded in Book 1553 beginning at page 380 of the records of the McClain County Clerk and described in Tract 25, 26,27, or 28 of said Ordinance;

All portions of Section 15, Township 7 North, Range 2 West, I.M., situated west of the west edge of the right-of-way of Interstate Highway 35 in McClain County, Oklahoma LESS AND EXCEPT HOWEVER such portion thereof, if any, previously annexed into the City of Purcell, Oklahoma by Ordinance No. 00-12 recorded in Book 1553 beginning at page 380 of the records of the McClain County Clerk and described in Tract 23 or Tract 24 of said Ordinance; and

The North One-Half (N2) of Section 21, Township 7 North, Range 2 West, I.M.;

and all of said lands and territory shall be and the same are hereby annexed to said Town.

SECTION 2. INCORPORATION OF SERVICE PLAN. The final Service Plan to extend appropriate Town services to the annexed lands and territory, which is set forth in full in Resolution 2007-4 of the Town Board of Trustees, shall be and the same is hereby incorporated by reference into and made a part of this ordinance as though fully set forth verbatim. Municipal services and utilities of the kind uniformly provided by the municipality to all other areas of the Town of Goldsby, Oklahoma shall be made available to the annexed territory on like basis and cost as the same are made available to all other areas of the Town of Goldsby, Oklahoma, immediately upon, and from and after the annexation of the territory; provided that such services may be provided by any methods or means available to the Town of Goldsby, Oklahoma that have been used to extend such services to any other area of the Town of Goldsby, Oklahoma. The services and utilities include, without implied limitation, general municipal government, land use planning and regulation, fire protection, law enforcement, municipal road maintenance, and solid waste disposal. The water utility is provided through the Goldsby Water Authority. The water utility will be made available to the annexed territory on like basis and under the same uniform costs and fees schedules as the same is made available to other areas of the Town of Goldsby, Oklahoma.

SECTION 3. SERVICE PLAN IMPLEMENTATION. The time period, as determined at the public hearing, for completing the implementation of the Service Plan is: Municipal services and utilities of the kind uniformly provided by the municipality to all other areas of the Town of Goldsby, Oklahoma shall be made available to the annexed territory on like basis and cost as the same are made available to all other areas of the Town of Goldsby, Oklahoma, immediately upon, and from and after the annexation of the territory; provided that such services may be provided by any methods or means available to the Town of Goldsby, Oklahoma that have been used to extend such services to any other area of the Town of Goldsby, Oklahoma. The services and utilities include, without implied limitation, general municipal government, land use planning and regulation, fire protection, law enforcement, and solid waste disposal. The water utility is provided through the Goldsby Water Authority. The water utility shall be made available to the annexed territory on like basis and cost as the same is made available to all other areas of the Town of Goldsby, Oklahoma. The Town shall complete the implementation of the service plan within one hundred twenty (120) months from the date of annexation.

SECTION 4. EMERGENCY. It being necessary for the preservation of the public health, safety, peace and welfare of the citizens and residents of the Town of Goldsby, Oklahoma, that this Ordinance

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shall become effective immediately, an emergency is hereby declared to exist, by reason whereof, this Ordinance shall take full force and effect immediately upon its adoption, as provided by law.

This ordinance was PASSED, APPROVED AND ADOPTED on the 11th day of June, 2007 by the affirmative vote of a majority of the Board of Trustees with the declaration of emergency being separately ruled on and approved by the affirmative vote of a majority of the Board of Trustees, the same being the unanimous vote of all of the Trustees present at the meeting.

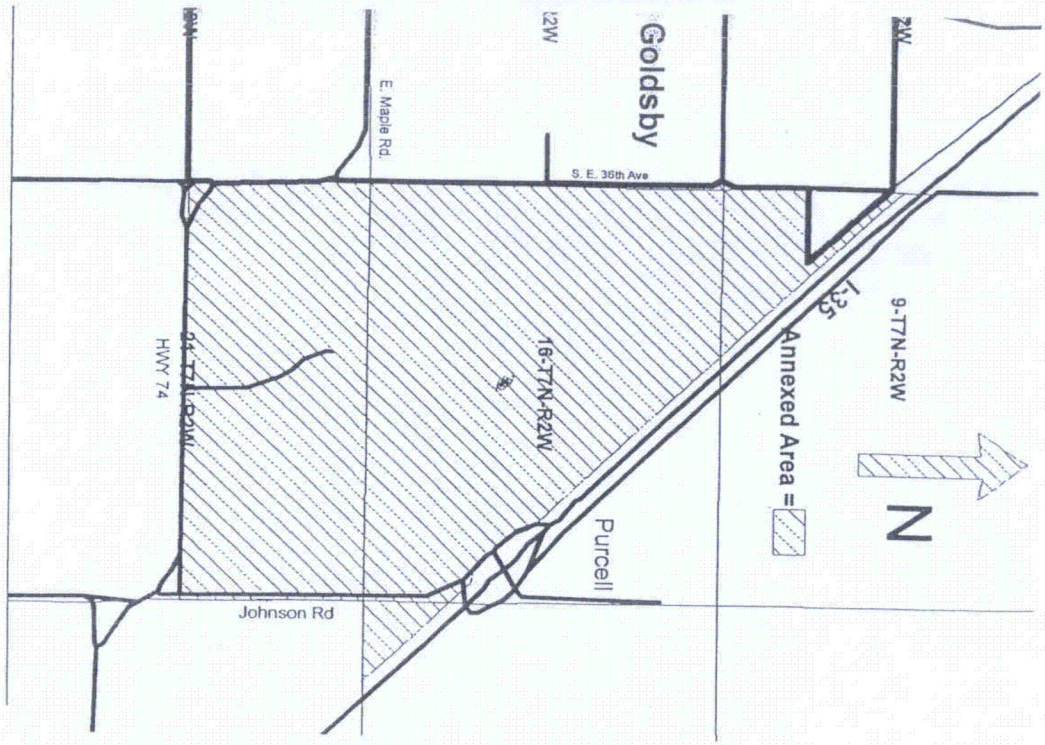
Now on this 21st day of June, 2007 this ordinance is again PASSED, APPROVED, ADOPTED and RE-ENACTED in its entirety with the declaration of emergency set forth in Section 4 above being again separately ruled on and approved by 3/4th of the whole Board of Trustees.

ATTEST:

TOWN CLERK

TOWN OF GOLDSBY

MAYOR

(SEAL)

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