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STATE OF OKLAHOMA } 88  
 McClain County }  
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 10 day of Dec 2003  
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 Leta Jenkins, County Clerk  
 By #2 Deputy

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**ORDINANCE NO. 438**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDSAY, OKLAHOMA ADDING AND ANNEXING TO THE CORPORATE LIMITS OF THE CITY OF LINDSAY CERTAIN TRACTS OR PARCELS OF LAND WITHIN SECTIONS 20, 21, 22, 23, 24, 25, 29, 32, 34, AND 36 IN TOWNSHIP 5 NORTH, RANGE 4 WEST I.M., McCLAIN COUNTY, OKLAHOMA AND IN SECTIONS 1, 2, 3, 5, 8, 11, 12, 13, 17, 20, 24, 25, 26, 27, 28, AND 29, IN TOWNSHIP 4 NORTH, RANGE 4 WEST, I.M. GARVIN COUNTY, OKLAHOMA, ALL OF WHICH LAND IS ADJACENT TO THE CITY LIMITS OF THE CITY OF LINDSAY UPON THE CONSENT OF THE OWNERS OF MORE THAN FIFTY-ONE PERCENT OF THE AREA SO ANNEXED; ESTABLISHING ZONING OF ANNEXED PROPERTIES PROVIDING A SEVERABILITY CLAUSE AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Lindsay has initiated action to consider the annexation and zoning of certain properties adjacent to the corporate limits of the City of Lindsay; and

WHEREAS, Oklahoma Statutes, Title 11, Sections 21-102 et seq. is the enabling legislation allowing said annexation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LINDSAY, OKLAHOMA:

SECTION I: The following described tracts or parcels of land containing in excess of 171.5 acres identified as Tracts 1, 2, and 3 are owned by property owners who have given written consent to the annexation, be and are hereby added to and annexed to the corporate limits of the City of Lindsay, Oklahoma:

TOWNSHIP 4 NORTH, RANGE 4 WEST I.M., GARVIN COUNTY

TRACT NO. 1: A part of the E½ of Section 2, Township 4 North, Range 4 West, I.M., more particularly described as: Beginning at the SW corner of the NW¼SE¼ of said Section 2, said beginning point being North 89°45' West 2645.3 feet and North 00°08' West 1323.8 feet from a ½ inch iron bar at the SE corner of said Section 2; thence North 00°08' West 1419.3 feet to the center of an existing drainage ditch; thence with the center of said ditch North 29° 18' East 2421.6 feet; thence North 47°20' East 319.2 feet; thence North 51°52' East 100 feet; thence North 83°34' East 400 feet; thence North 89°57' East (parallel with the North line of said Section 2) 83.2 feet to a point in the East line of the W½E½ NE¼ of said Section 2; thence South 00°07'30" East 3861.5 feet to the SE corner of the W½NE¼SE¼ of said Section 2; thence North 89°47' West 1984.3 feet to the pointing of beginning; containing 136.57 acres more or less.

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TRACT NO. 2: North Half of the Northeast Quarter of the Southwest Quarter ( $N\frac{1}{2} NE\frac{1}{4}SW\frac{1}{4}$ ) Section 11, Township 4 North, Range 4 West, I.M., Garvin County, Oklahoma.

TOWNSHIP 5 NORTH RANGE 4 WEST I.M., McCLAIN COUNTY

TRACT NO.3: The Southeast quarter of the Southeast quarter of the Southeast quarter ( $SE\frac{1}{4} SE\frac{1}{4} SE\frac{1}{4}$ ); and the East half of the Southwest quarter of the Southeast quarter of the Southeast quarter ( $E\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$ ) of Section 34, Township 5 North, Range 4 West, I.M., McClain County, Oklahoma, containing 15 acres more or less.

SECTION II: The following described tracts or parcels of land described as Tracts 4 though 34 and containing 146.96 acres are owned by property owners who have not given written consent to the annexation, be and are hereby added to and annexed to the corporate limits of the City of Lindsay, Oklahoma:

TOWNSHIP 5 NORTH, RANGE 4 WEST I.M. McCLAIN COUNTY

TRACT NO. 4: The West fifty (50) feet of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section 20, Township 5 North, Range 4 West, I.M. McClain County, Oklahoma

TRACT NO. 5: The West fifty (50) feet of the East Half ( $E\frac{1}{2}$ ) of Section 29, Township 5 North, Range 4 West, I.M. McClain County, Oklahoma

TRACT NO. 6: The West fifty (50) feet of the East Half ( $E\frac{1}{2}$ ) of Section 32, Township 5 North, Range 4 West, I.M. McClain County, Oklahoma

TRACT NO. 7: A tract of land described as beginning at the Southwest Corner of the Southeast Quarter of Section 32, Township 5 North, Range 4 West, I.M., McClain County, thence East 660 feet, thence North 50 feet, thence West 660 feet, thence South 50 feet to the point of beginning

TRACT NO. 8: The East fifty (50) feet of the West ( $W\frac{1}{2}$ ) of Section 36, Township 5 North, Range 4 West, I.M. McClain County, Oklahoma

TRACT NO. 9: The East fifty (50) feet of the West half ( $W\frac{1}{2}$ ) of Section 25, Township 5 North, Range 4 West, I.M. McClain County, Oklahoma

TRACT NO. 10: The East fifty (50) feet of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section 24, Township 5 North, Range 4 West, I.M. McClain County, Oklahoma

TRACT NO. 11: The North fifty (50) feet of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section 24, Township 5 North, Range 4 West, I.M. McClain County, Oklahoma

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TRACT NO. 12: The North fifty (50) feet of the South Half (S½) of Section 23, Township 5 North, Range 4 West, I.M. McClain County, Oklahoma

TRACT NO. 13: The North fifty (50) feet of the South Half (S½) of Section 22, Township 5 North, Range 4 West, I.M. McClain County, Oklahoma

TRACT NO. 14: The North fifty (50) feet of the South Half (S½) of Section 21, Township 5 North, Range 4 West, I.M. McClain County, Oklahoma

TRACT NO. 15: The North fifty (50) feet of the Southeast Quarter (SE¼) of Section 20, Township 5 North, Range 4 West, I.M. McClain County, Oklahoma

TOWNSHIP 4 NORTH, RANGE 4 WEST I.M., GARVIN COUNTY

TRACT NO. 16: The West fifty (50) feet of the East Half (E½) of Section 5, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 17: The West fifty (50) feet of the East Half (E½) of Section 8, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 18: The West fifty (50) feet of the East Half (E½) of Section 17, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 19: The West fifty (50) feet of the East Half (E½) of Section 20, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 20: The West fifty (50) feet of the Northeast Quarter (NE¼) of Section 29, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 21: The South fifty (50) feet of the Northeast Quarter (NE¼) of Section 29, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 22: The South fifty (50) feet of the North Half (N½) of Section 28, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 23: The South fifty (50) feet of the North Half (N½) of Section 27, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 24: The South fifty (50) feet of the North Half (N½) of Section 26, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

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TRACT NO. 25: The South fifty (50) feet of the Northwest Quarter (NW¼) of Section 25, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 26: The East fifty (50) feet of the Northwest Quarter (NW¼) of Section 25, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 27: The East fifty (50) feet of the West Half (W½) of Section 24, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 28: The East fifty (50) feet of the West Half (W½) of Section 13, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 29: The East fifty (50) feet of the West Half (W½) of Section 12, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 30: The East fifty (50) feet of the West Half (W½) of Section 1, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 31: A tract of land described as beginning at the Northeast Corner of the Northwest Quarter of Section 1, Township 4 North, Range 4 West, I.M., Garvin County, thence West 660 feet, thence South 50 feet, thence East 660 feet, thence North 50 feet to the point of beginning.

TRACT NO. 32: The North fifty (50) feet of the Northeast Quarter (NE¼) of Section 3, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 33: The North fifty (50) feet of the North Half (N½) of Section 2, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

TRACT NO. 34: The North fifty (50) feet of the Northwest Quarter (NW¼) of Section 1, Township 4 North, Range 4 West, I.M. Garvin County, Oklahoma

SECTION III: ZONING: The properties identified herein shall be and are hereby zoned as "A-1 General Agricultural."

SECTION IV: SEVERABILITY: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of the ordinance shall be declared to be unconstitutional, illegal or otherwise invalid by a valid decree or judgment of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

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SECTION V: EMERGENCY: It being immediately necessary for the preservation of the peace, health, safety and welfare of the City of Lindsay, Oklahoma, 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 resolution shall take effect and be in full force from and after its passage as provided by law.

PASSED AND APPROVED and the emergency clause voted upon separately and passed and approved this 8th day of December, 2003.

*Todd Hornsley*  
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Mayor

ATTEST:

*Linda Newby*  
\_\_\_\_\_  
Linda Newby, City Clerk  
(SEAL)



