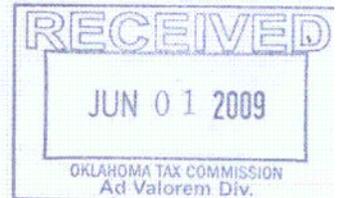


**TOWN OF MARSHALL
ORDINANCE NO. 2009-01**



**AN ORDINANCE ANNEXING CERTAIN TERRITORY
ADJOINING THE EXISTING TOWN LIMITS IN SECTIONS
3, 10, 14, AND 15, TOWNSHIP 19N, RANGE 4W, LOGAN
COUNTY, OKLAHOMA; ADOPTING A SERVICE PLAN TO
EXTEND APPROPRIATE TOWN SERVICES; REPEALING
ANY PRIOR MUNICIPAL CODE SECTIONS OR
ORDINANCES IN CONFLICT WITH CURRENT
OKLAHOMA ANNEXATION STATUTES; AND
DECLARING AN EMERGENCY**



WHEREAS, the Town of Marshall desires to extend its corporate limits into adjacent territory to better protect the health, safety and welfare of the existing citizens of Marshall and provide municipal services to those new citizens within the annexed territory pursuant to the provisions of Title 11, Oklahoma Statutes, Section 21-104.

BE IT ORDAINED BY THE ACTING MAYOR AND TRUSTEES FOR THE TOWN OF MARSHALL, OKLAHOMA, AS FOLLOWS:

SECTION 1. NOTICE

On November 3, 2008 at a special monthly meeting the Marshall Town Board set a public hearing on the proposed annexation and service plan for December 1, 2008. Written notice of the proposed annexation and service plan was mailed on November 14, 2008 by certified mail to all owners of property to be annexed as shown by the current year's ownership rolls in the offices of the Logan County Treasurer, to the Board of Logan County Commissioners and to the Oklahoma Department of Transportation. Notice of the proposed annexation was also published in the Guthrie News Leader on November 14, 2008. A public hearing was held on December 1, 2008 prior to the adoption of this Ordinance. Discussion was continued from December 1, 2008 to January 5, 2009. Discussion was continued again from January 5, 2009 to February 2, 2009.

SECTION 2. PURPOSE

The municipal purpose for the annexation is to provide new and attractive territory adjacent to the existing town limits for residential and commercial development. The depth of the annexation (minimum 100 feet) is a sufficient size to site both new homes and businesses without the need for or cost of additional paved roadways. The annexed territory has high visibility and no unsightly structures which might deter new construction. The depth of the annexation allows for utility extension if required by developing property owners. The positive attributes of the annexed territory constitute

1815
6

tangible municipal value and create a potential for census gain and long term viability for the Town.

SECTION 3. ANNEXED TERRITORY

The property described by legal and common description on Exhibit A attached hereto is annexed into the Town of Marshall, Oklahoma, and shall be an integral part thereof.

SECTION 4. SERVICE PLAN

The Service Plan to extend appropriate town services to the annexed property is attached as Exhibit B hereto and incorporated into and made a part of this Ordinance. The Service Plan shall be implemented over a period of ten years from the date of this Ordinance.

SECTION 5. NEW CORPORATE LIMITS

The new corporate limits of the Town of Marshall are hereby extended and increased so as to include and embrace the territory described in Section 3 hereof. Such territory is hereby declared to be a part of the Town of Marshall. If the annexation of any part or parcel of the annexed territory shall for any reason be held invalid, the invalidity of such part or parcel shall not affect or prejudice in any way the applicability and validity of the remaining annexed territory. It is hereby declared to be the intention of the Town of Marshall that the remaining annexed territory would have been annexed had such invalid part or parcel not been included.

SECTION 6. RECORDING

The town officers are hereby authorized to file a copy of this Ordinance with the Logan County Clerk and the Ad Valorem Division of the Oklahoma Tax Commission pursuant to Title 11, Oklahoma Statutes, Section 21-112.

SECTION 7. REPEALING CLAUSE

Any section of the Marshall Municipal Code or any Marshall Town Ordinance not previously codified which conflicts with the current annexation provisions of Title 11, Oklahoma Statutes, Section 21-104 (together with all other related statutes) is hereby repealed.

SECTION 8. SAVINGS CLAUSE

Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 9. SEVERABILITY

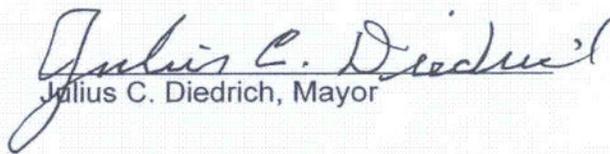
If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance.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

SECTION 10. EMERGENCY

It being necessary to give immediate effect to this ordinance to protect the health, safety and welfare of the citizens of the Town of Marshall, an emergency is hereby declared to exist. By reason whereof, this ordinance shall take effect and be in full force and effect after its passage, as provided by law.

PASSED AND APPROVED by the Mayor and Trustees on the 2nd day of February, 2009.

TOWN OF MARSHALL, OKLAHOMA


Julius C. Diedrich, Mayor

ATTEST:

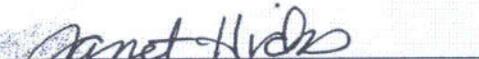

Janet Hicks, Town Clerk



EXHIBIT A

1. A tract of land situated in Section Three (3), Township Nineteen (19) North, Range Four (4) West, Logan County, Oklahoma, more particularly described as follows:

Beginning at the Northwest Corner of the Southwest Quarter (SW/4) of Section Three (3) contiguous to the existing town limits for the Town of Marshall, Oklahoma (also known as "New Marshall"); thence South along the Section line to a point 936.10 feet North of the Southwest Corner of the Southwest Quarter (SW/4) of Section Three (3); thence 133 feet East; thence North to the North line of the Southwest Quarter (SW/4) of Section Three (3); thence 133 feet West to the point of beginning.

[Commonly known as a 133 foot wide tract adjoining the East boundary line of Marshall from Vine Street to the South boundary line of Marshall.]

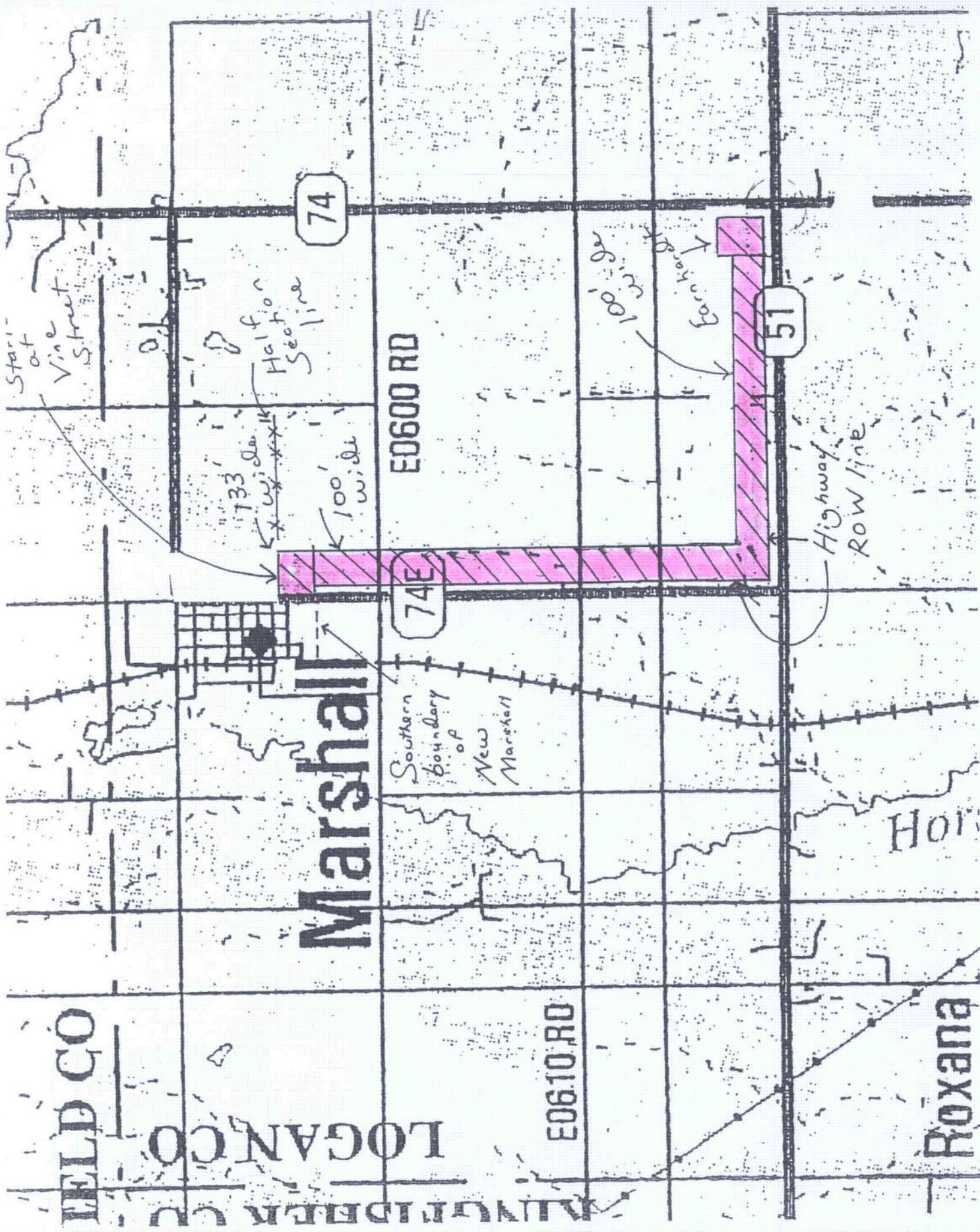
2. A tract of land situated in Sections Three (3), Ten (10), Fourteen (14) and Fifteen (15), all in Township Nineteen (19) North, Range Four (4) West, Logan County, Oklahoma, more particularly described as follows:

Beginning at a point 936.10 feet North and 33 feet East of the Southwest Corner of the Southwest Quarter (SW/4) of Section Three (3); thence South parallel to the West section line of Section Three (3), Ten (10) and Fifteen (15) to a point 50 feet North and 33 feet East of the Southwest Corner of the Southwest Quarter of Section Fifteen (15); thence East parallel to the South Section line of Sections Fifteen (15) and Fourteen (14) to a point 50 feet North and 423 feet West of the Southeast Corner of the Southeast Quarter (SE/4) of Section Fourteen (14); thence 100 feet North; thence West parallel to the South section line of Sections Fourteen (14) and Fifteen (15) to a point 133 feet East and 150 feet North of the Southwest Corner of the Southwest Quarter (SW/4) of Section Fifteen (15); thence North parallel to the West Section line of Sections Fifteen (15), Ten (10) and Three (3) to a point 936.10 feet North of the South line of the Southwest Quarter (SW/4) of Section Three (3); thence 100 feet West to the point of beginning

[Commonly referred to as a 100 foot wide tract running South from the South boundary line of Marshall along the East right-of-way line of State Highway 74E and then running East on the North right-of-way line of State Highway 51 to the Earnhardt property.]

3. A tract of land lying in the Southeast Quarter (SE/4) of Section Fourteen (14), Township Nineteen (19) North, Range Four (4) West of the Indian Meridian, Logan County, Oklahoma, more particularly described as beginning at a point 150 feet West along and following the South Section line and 50 feet North parallel to the East Section line from the Southeast Corner of Section Fourteen (14), thence 140 feet Northeast on a 45° angle along and following the present Highway right-of-way to a 1/2" rebar capped CA 980; thence 16.30 feet North along and following the present Highway 74 right-of-way to a 1/2" rebar capped CA 980; thence North 103.7 feet; thence West 372 feet; thence 220 feet South parallel to the East Section line to a 1/2" rebar capped CA 980; thence 273 feet East parallel to the South Section line along and following the present Highway 51 right-of-way to the point of beginning.

[Commonly referred to as the Earnhardt service station property on the Northwest Corner of the junction of State Highway 51 and 74.]



Start at Vine Street

Half Section line

133' wide

100' wide

100' long

Highway ROW line

Marshall

Southern boundary of New Marshall

HOH

FIELD CO

LOGAN CO

E0610 RD

E0600 RD

74E

74

51

Roxana