

AN ORDINANCE OF THE CITY OF NOWATA, OKLAHOMA, A MUNICIPAL CORPORATION, EXTENDING THE CORPORATE LIMITS OF THE CITY OF NOWATA, NOWATA COUNTY, STATE OF OKLAHOMA, TO INCLUDE THE FOLLOWING PROPERTY SITUATED IN NOWATA COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

A Tract of Land in the NW/4 NW/4 NE/4 of Section 35, T26N, R16E Nowata County Oklahoma more particularly describe as; Beginning at the SE Corner thereof; thence West along the South line of said NW/4 990.00'; thence North parallel with the East line of said NW/4 of the NE/4, 660.00'; thence East parallel with said South line 110.00'; thence North parallel with said East line 390.00' more or less to the center line of the abandoned U.S. Highway No. 60; thence Easterly along said center line to a point on the West line of the NE/4 of the NW/4 of the NE/4 and being 380.00' more or less, North of the SW corner thereof; thence South along the West line of said NE/4 of the NW/4 of the NE/4 to a point 165.00' North of the SW corner thereof; thence East parallel with the South line of said NW/4 of the NE/4, 450.60'; thence South parallel with the East line of said NW/4 of the NE/4, 165'± to the North line of the SE/4 NW/4 NE/4; thence East along said North line a distance of 209.64'± to the NE corner of said NE/4 NW/4 NE/4, thence South along the East line of said SE/4 NW/4 NE/4 a distance of 660.0'± to the Point of beginning. Containing 18.64 acres more or less.

Less:

A Tract of land in the NW/4 NW/4 NE/4 of Section 35, T26N, R16E Nowata County Oklahoma more particularly described as; Commencing at a U.S. Government Boundry Monument, CSE 6/7, aid Monument being 330'± East of the SE Corner of said NW/4 NW/4 NE/4; Thence Continuing along the Government Boundry Line CSE 7, having a bearing of S89°52'49"E 110.07' to a Government Boundry Monument, CSE 7/8; Thence N0°04'08" along the Government Boundry Line CSE 7, 237.11'; Thence N89°06'16E 33.0' to the Point of Beginning; Thence N0°04'08"E 133.93' to the Centerline of Old HWY 60, Thence N89°45'13"E, 187.30' to the Government Boundry Corner CSE 9/10. (This Course is the Cord to the Boundry Line along the Curving Centerline of old HWY 60); Thence S0°04'08"W 141.62' along the CSE 10 of the Government Boundry Line; Thence S89°06'16"W 187.03' more or less to the Point of Beginning. Containing .57 acres more or less.

And 30' Easement:

A Thirty (30) foot Easement along Highway 60, being fifteen (15) foot either side of the Centerline of said Highway 60. Beginning at the East Boundry of the Current City Limits of the City of Nowata, along the North of Section 32, T26N, R16E to a Point 2840' East and 56.75' North of the NW Corner of Section 35, T26N, R16E; Thence South, Along an Exit Ramp, 165'± to the Centerline of Old Hwy 60; Thence South Easterly along said Centerline a Distance of 357'± to the Nowata Water Plant Property.

**WHEREAS**, the City Council of the City of Nowata believes it in the best interest of the City and the public to annex the above-described real property into the corporate limits of the City of Nowata.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Nowata, Oklahoma, meeting in Special session at City Hall, Nowata County, Oklahoma, on this 20<sup>th</sup> day of October, 2011, as

follows, to-wit:

**Section One (1): Annexation of Territory.**

There is hereby annexed to the City of Nowata, Nowata County, Oklahoma, and incorporated within the corporate boundaries thereof, the following territory adjoining the present corporate boundaries of the City of Nowata, to-wit:

A Tract of Land in the NW/4 NW/4 NE/4 of Section 35, T26N, R16E Nowata County Oklahoma more particularly describe as; Beginning at the SE Corner thereof; thence West along the South line of said NW/4 990.00'; thence North parallel with the East line of said NW/4 of the NE/4, 660.00'; thence East parallel with said South line 110.00'; thence North parallel with said East line 390.00' more or less to the center line of the abandoned U.S. Highway No. 60; thence Easterly along said center line to a point on the West line of the NE/4 of the NW/4 of the NE/4 and being 380.00' more or less, North of the SW corner thereof; thence South along the West line of said NE/4 of the NW/4 of the NE/4 to a point 165.00' North of the SW corner thereof; thence East parallel with the South line of said NW/4 of the NE/4, 450.60'; thence South parallel with the East line of said NW/4 of the NE/4, 165'± to the North line of the SE/4 NW/4 NE/4; thence East along said North line a distance of 209.64'± to the NE corner of said NE/4 NW/4 NE/4, thence South along the East line of said SE/4 NW/4 NE/4 a distance of 660.0'± to the Point of beginning. Containing 18.64 acres more or less.

Less:

A Tract of land in the NW/4 NW/4 NE/4 of Section 35, T26N, R16E Nowata County Oklahoma more particularly described as; Commencing at a U.S. Government Boundry Monument, CSE 6/7, said Monument being 330'± East of the SE Corner of said NW/4 NW/4 NE/4; Thence Continuing along the Government Boundry Line CSE 7, having a bearing of S89°52'49"E 110.07' to a Government Boundry Monument, CSE 7/8; Thence N0°04'08" along the Government Boundry Line CSE 7, 237.11'; Thence N89°06'16E 33.0' to the Point of Beginning; Thence N0°04'08"E 133.93' to the Centerline of Old HWY 60, Thence N89°45'13"E, 187.30' to the Government Boundry Corner CSE 9/10. (This Course is the Cord to the Boundry Line along the Curving Centerline of old HWY 60); Thence S0°04'08"W 141.62' along the CSE 10 of the Government Boundry Line; Thence S89°06'16"W 187.03' more or less to the Point of Beginning. Containing .57 acres more or less.

And 30' Easement:

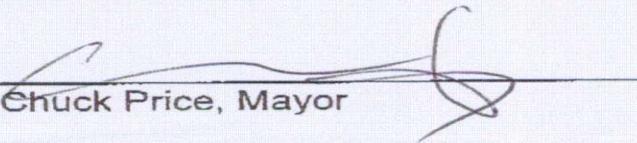
A Thirty (30) foot Easement along Highway 60, being fifteen (15) foot either side of the Centerline of said Highway 60. Beginning at the East Boundry of the

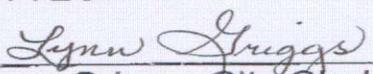
Current City Limits of the City of Nowata, along the North of Section 32, T26N, R16E to a Point 2840' East and 56.75' North of the NW Corner of Section 35, T26N, R16E; Thence South, Along an Exit Ramp, 165'± to the Centerline of Old Hwy 60; Thence South Easterly along said Centerline a Distance of 357'± to the Nowata Water Plant Property.

**Section Two (2): Severability.** If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provision of this Ordinance that can be given effect without the invalid provision, and for this purpose the provision of the Ordinance is hereby declared to be severable.

**PASSED AND APPROVED** this 20<sup>th</sup> day of October, 2011.

CITY OF NOWATA, OKLAHOMA  
A Municipal Corporation

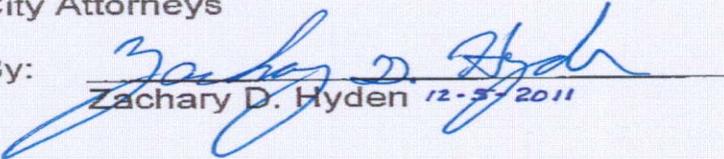
By:   
Chuck Price, Mayor

ATTEST:  
  
Lynn Griggs, City Clerk

[SEAL]

APPROVED AS TO FORM:

HESKETT & HESKETT  
City Attorneys

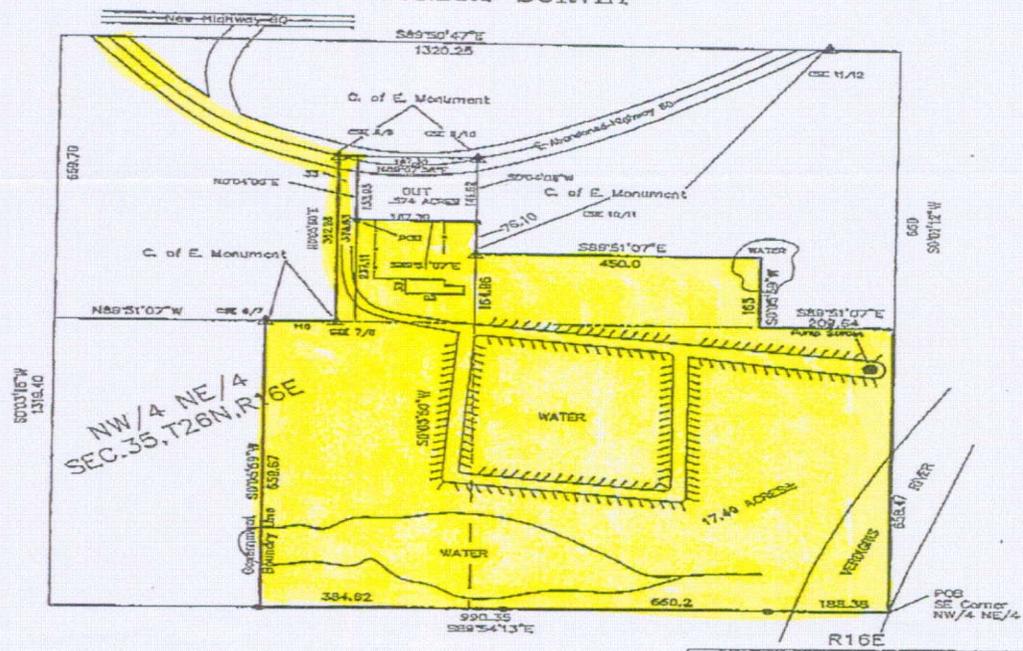
By:   
Zachary D. Hyden 12-5-2011



BROWN LAND SURVEYING, INC

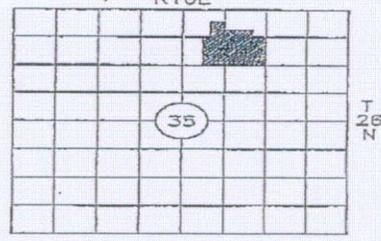
P.O. BOX 522, NOWATA, OK. (918)273-2943
CERTIFICATE OF AUTHORIZATION NO. 3440 EXP. 8/30/2012

BOUNDARY SURVEY



THIS PLAT OF SURVEY MEETS THE OKLAHOMA STATUTE REQUIRING FOR THE PURPOSE OF LAND SURVEYS AS AUTHORIZED BY THE OKLAHOMA STATE BOARD OF SURVEYORS AND PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

1/2" IP W/Cap



LEGAL DESCRIPTION

A TRACT OF LAND IN THE NW/4 NW/4 NE/4 OF SECTION 35, T26N, R16E NOWATA COUNTY OKLAHOMA MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE SE CORNER THEREOF; THENCE WEST ALONG THE SOUTH LINE OF SAID NW/4, 690.00'; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID NW/4 OF THE NE/4, 650.00'; THENCE EAST PARALLEL WITH SAID SOUTH LINE 110.00'; THENCE NORTH PARALLEL WITH SAID EAST LINE 390.00' MORE OR LESS TO THE CENTER LINE OF THE ABANDONED LHS HIGHWAY NO. 60; THENCE EASTERLY ALONG SAID CENTER LINE TO A POINT ON THE WEST LINE OF SAID NE/4 OF THE NW/4 OF THE NE/4 AND BEING 380.00' MORE OR LESS, NORTH OF THE SW CORNER THEREOF; THENCE SOUTH ALONG THE WEST LINE OF SAID NW/4 OF THE NE/4 OF THE NE/4 TO A POINT 165.00' NORTH OF THE SW CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID NW/4 OF THE NE/4, 450.00'; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID NW/4 OF THE NE/4, 185.5' TO THE NORTH LINE OF THE SE/4 NW/4 NE/4; THENCE EAST ALONG SAID NORTH LINE A DISTANCE OF 200.64'; TO THE NE CORNER OF SAID NE/4 NW/4 NE/4; THENCE SOUTH ALONG THE EAST LINE OF SAID SE/4 NW/4 NE/4 A DISTANCE OF 660.02' TO THE POINT OF BEGINNING, CONTAINING 18.64 ACRES MORE OR LESS.

LESS:
A TRACT OF LAND IN THE NW/4 NW/4 NE/4 OF SECTION 35, T26N, R16E NOWATA COUNTY OKLAHOMA MORE PARTICULARLY DESCRIBED AS: COMMENCING AT A U.S. GOVERNMENT BOUNDARY MONUMENT, CSE 6/7, SAID MONUMENT BEING 330.00' EAST OF THE SE CORNER OF SAID NW/4 NW/4 NE/4; THENCE CONTINUING ALONG THE GOVERNMENT BOUNDARY LINE CSE 7, HAVING A BEARING OF S89°52'45"E 110.07' TO A GOVERNMENT BOUNDARY MONUMENT, CSE 7/8; THENCE N0°4'08" ALONG THE GOVERNMENT BOUNDARY LINE CSE 7, 237.11'; THENCE N88°08'18"E 33.0' TO THE POINT OF BEGINNING; THENCE N0°4'08"E 133.83' TO THE CENTERLINE OF OLD HWY 60; THENCE N85°48'13"E, 157.30' TO THE GOVERNMENT BOUNDARY CORNER CSE 9/10. (THIS COURSE IS THE CORSE TO THE BOUNDARY LINE ALONG THE CURVING CENTERLINE OF OLD HWY 60); THENCE S0°4'08"W 141.82' ALONG THE CSE 10 OF THE GOVERNMENT BOUNDARY LINE; THENCE S89°05'16"W 157.03' MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING .57 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, RALPH BROWN, A REGISTERED LAND SURVEYOR WITH BROWN LAND SURVEYING, INC OF NOWATA, OKLAHOMA DO HEREBY CERTIFY THAT THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF A SURVEY DONE UNDER MY DIRECTION, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT AN INDEPENDENT SEARCH OF THE ABSTRACT OR RECORDED DOCUMENTS TO DETERMINE EASEMENTS OR RESTRICTIONS WAS NOT MADE.

SIGNED AND SEALED THIS 10th DAY OF June, 2011

RALPH E. BROWN P.L.S. No 973

SEC35T26R16 6-7-11
REVISED PLAT AND LEGAL TO INCLUDE WATER INTAKE

## NOTICE OF HEARING

NOTICE is hereby given pursuant to *Okla. Stat. tit 11 §21-103*, that the City of Nowata, Oklahoma, will hold a hearing concerning the annexation of the following property situated in Nowata County, State of Oklahoma, more particularly described as follows, to-wit:

A Tract of Land in the NW/4 NW/4 NE/4 of Section 35, T26N, R16E Nowata County Oklahoma more particularly describe as; Beginning at the SE Corner thereof; thence West along the South line of said NW/4 990.00'; thence North parallel with the East line of said NW/4 of the NE/4, 660.00'; thence East parallel with said South line 110.00'; thence North parallel with said East line 390.00' more or less to the center line of the abandoned U.S. Highway No. 60; thence Easterly along said center line to a point on the West line of the NE/4 of the NW/4 of the NE/4 and being 380.00' more or less, North of the SW corner thereof; thence South along the West line of said NE/4 of the NW/4 of the NE/4 to a point 165.00' North of the SW corner thereof; thence East parallel with the South line of said NW/4 of the NE/4, 450.60'; thence South parallel with the East line of said NW/4 of the NE/4, (165'± to the North line of the SE/4 NW/4 NE/4;) thence East along said North line a distance of 209.64'± to the NE corner of said NE/4 NW/4 NE/4, thence South along the East line of said SE/4 NW/4 NE/4 a distance of 660.0'± to the Point of beginning. Containing 18.64 acres more or less.

Less:

A Tract of land in the NW/4 NW/4 NE/4 of Section 35, T26N, R16E Nowata County Oklahoma more particularly described as; Commencing at a U.S. Government Boundry Monument, CSE 6/7, aid Monument being 330'± East of the SE Corner of said NW/4 NW/4 NE/4; Thence Continuing along the Government Boundry Line CSE 7, having a bearing of S89°52'49"E 110.07' to a Government Boundry Monument, CSE 7/8; Thence N0°04'08" along the Government Boundry Line CSE 7, 237.11'; Thence N89°06'16E 33.0' to the Point of Beginning; Thence N0°04'08"E 133.93' to the Centerline of Old HWY 60, Thence N89°45'13"E, 187.30' to the Government Boundry Corner CSE 9/10. (This Course is the Cord to the Boundry Line along the Curving Centerline of old HWY 60); Thence S0°04'08"W 141.62' along the CSE 10 of the Government Boundry Line; Thence S89°06'16"W 187.03' more or less to the Point of Beginning. Containing .57 acres more or less.

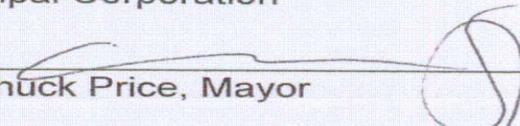
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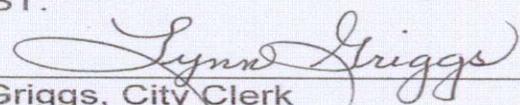
WHEREBY said hearing is set for the 29<sup>th</sup> day of September, 2011, at 7 o'clock P.M., at City Hall, Nowata, Oklahoma. On said date, the City Council of the City of Nowata will determine whether or not annexation will be in the best interest of the City of Nowata. Any person desiring to present testimony regarding the proposed annexation must present themselves at the date and time set forth above.

Issued this 29<sup>th</sup> day of September, 2011.

CITY OF NOWATA, OKLAHOMA,  
A Municipal Corporation

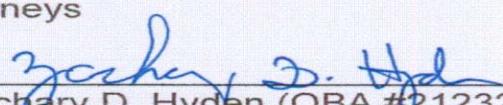
By:   
Chuck Price, Mayor

ATTEST:

  
Lynn Griggs, City Clerk

[ S E A L ]

HESKETT & HESKETT  
City Attorneys

By:   
Zachary D. Hyden (OBA #21232)  
501 South Johnstone, Suite 501  
Bartlesville, Oklahoma 74003  
(918) 336-1773

The City encourages participation from all of its citizens. If you require special accommodations pursuant to the *Americans with Disabilities Act*, please notify the City Clerk by 12:00 o'clock P.M. the day of the scheduled hearing.

CONSENT TO ANNEXATION

COME NOW, City of Nowata on the date indicated below, and hereby give their written consent as owners of certain real property hereinafter described, for the annexation, extension, and continuation of the municipal limits and boundaries of the City of Nowata to include all of said real property by annexation and designation of same to the City of Nowata corporate limits. This Consent shall be immediately effective and interpreted to authorize and empower the City of Nowata to approve by Ordinance the annexation of the following described real property, to-wit:

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regarding the proposed annexation must present themselves at the date and time set forth above.

DONE this 20<sup>th</sup> day of October, 2011.

Tom Smyser  
City Manager

Lynn Griggs  
City Clerk

STATE OF OKLAHOMA, Nowata County. ) ss.

Before me, a Notary Public, in and for this State, on this 20<sup>th</sup> day of October, 2011, personally appeared Tom Smyser & Lynn Griggs to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Shelby Limon  
Notary Public

08/29/2015  
My Commission Expires  
Commission No. 11007916

[SEAL]

