

Rec: 2-1-02

ORDINANCE NUMBER 2-5-01



An ordinance annexing to and including within the corporate limits of the Town of Olustee, Oklahoma, a certain tract of land lying in the Northwest Quarter of Section 20, Township 1 North, Range 21 W.I.M. in Jackson County, Oklahoma, more commonly referred to as unplatted land West of blocks 40 and 41 of the "B" Addition of Olustee, Oklahoma; Providing for recordation and notification of said annexation; Temporarily classifying said tract of land as residential in compliance with Section 12, of the Olustee Zoning Ordinance; and providing for severability.

WHEREAS, Title 11 Oklahoma Statutes Annotated Section 21-104 provides that a Town may annex any territory adjacent or contiguous to the Town, without the written consent of the owners of at least a majority of the acres to be annexed to the municipality, where two (2) sides of the territory to be annexed are adjacent or contiguous to the property already within the Town limits; and

WHEREAS, the tract of land legally described in Section 1 of this Ordinance is located in Jackson County, Oklahoma, and is contiguous and/or adjacent to the present corporate limits of the Town of Olustee, Oklahoma, on two (2) sides; and

WHEREAS, in compliance with Title 11 Oklahoma Statutes Annotated Section 21-104, prior to annexation the Town conducted a public hearing on the question of the annexation of such territory on the 5th day of February 2001, after having first approved a proposed service plan, published notice in the Eldorado Courier on the 18th day of January 2001, mailed notice to affected property owners on the 12th day of January, 2001, had copies of the proposed service plan available for review at City Hall, 105 East 4th Street, Olustee, Oklahoma, and approved the final service plan during the public hearing; and

WHEREAS, it is deemed necessary and desirable for the benefit of this Town that the tract of land legally described in Section 1 of this Ordinance be added to and made a part of the corporate limits of the Town of Olustee, Oklahoma.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF OLUSTEE, JACKSON COUNTY, OKLAHOMA, THAT;

Section 1. The Corporate limits of the Town of Olustee, Jackson County, Oklahoma, shall include within the corporate limits of said Town the following described tract of land, to-wit;

A tract of land in the Northwest Quarter (NW ¼) of Section Twenty (20), Township 1 North, Range 21 W.I.M., Jackson County, Oklahoma, more particularly described as follows:

STATE OF OKLAHOMA, COUNTY OF JACKSON, SS Re-filed
This instrument was filed for record on the 20 day of Aug, 2001 at 1:50 o'clock P.M. and duly recorded in Book 881 on Page 448 of the records of this office. Fees \$192 in advance
Laura Bradburn County Clerk. By Cheryl Winters Deputy

STATE OF OKLAHOMA, COUNTY OF JACKSON, SS

This instrument was filed for record on the 20 day of Aug, A.D., 2001 at 1:50 o'clock P.M., and duly recorded in Book 881 on Page 448 of the records of this office. Fees \$192 in advance
Laura Bradburn County Clerk. By Cheryl Winters Deputy

0 565

Beginning at the SW corner of Block 2 of the Warren Heights Addition to the Town of Olustee, Oklahoma; thence S 00 degrees 21' 25" E along the West Line of Block 40 and 41 of the "B" Addition of Olustee a distance of 713.11 Feet to a point on the North Right-of-Way line of Oklahoma State Highway No. 6; thence traversing Southwesterly 467.67 Feet along said North Right-of-Way line on a curve to the right having a radius of 656.80 Feet and a chord that bears S 55 degrees 21' 06" W 457.85 Feet; thence N 00 degrees 21' 25" W 970.22 Feet; thence N 89 degrees 30' 54" E along the extended North Line of Fourth Street a distance of 378.27 Feet to the point of beginning, containing 7.60 Acres, more or less.

The North 80 Feet of the Described tract is herewith reserved and granted unto the public by the grantor(s) as easement for road and utility purposes.

All of said tract being located in said Jackson County, Oklahoma; be and the same is hereby added to and made part of the Town of Olustee, Jackson County, Oklahoma for all purposes.

SECTION 2. The corporate limits of the Town of Olustee, Oklahoma, are hereby extended to include for all purposes the tract of land described in Section 1 of this Ordinance.

SECTION 3. The Board of Trustees of the Town of Olustee, Oklahoma, has made a finding that the tract of land described in Section 1 of this Ordinance is contiguous and/or adjacent to the present limits of the Town of Olustee, Oklahoma, on two (2) sides and that according to Title 11 Oklahoma Statutes Annotated Section 21-104 no written consent of property owners is required for annexation by the Board of Trustees.

SECTION 4. The Board of Trustees has approved a final service plan which is attached hereto as Exhibit "A" and incorporated and made a part of this annexation ordinance by reference thereto.

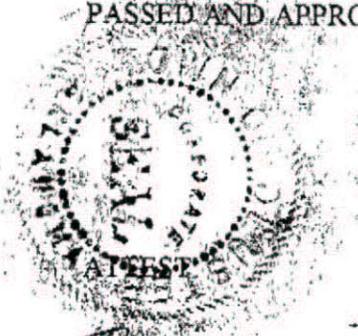
SECTION 5. The tract of land legally described in Section 1 of this Ordinance is hereby temporarily zoned and classified under the authority of Section 12 Classification until altered or reclassified by law.

SECTION 6. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 7 AMENDMENT This ordinance is to amend ordinance No. 11-13-00 to correct the legal description of the land to state "B Addition".

SECTION 8 RECORDATION The City Attorney is authorized to file a certified copy of this Ordinance in the Office of the County Clerk of Jackson County, Oklahoma, and to notify by letter the Oklahoma Tax Commission and any other entity required to be notified of this annexation of municipal territory.

PASSED AND APPROVED THIS 5TH DAY OF FEBRUARY, 2001.



By: *Raymond Moody*
PRESIDENT OF THE BOARD OF TRUSTEES
Raymond moody

B. Gwonne Ballard
CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS 5TH DAY OF MARCH, 2001.

Charles P. Horton
CHARLES P. HORTON, CITY ATTORNEY

ALTUS DEVELOPMENT COMPANY INC

No. 01001

LAND SURVEYOR'S CERTIFICATE OF AUTHORIZATION NO. 2954 EXPIRES 6-30-01

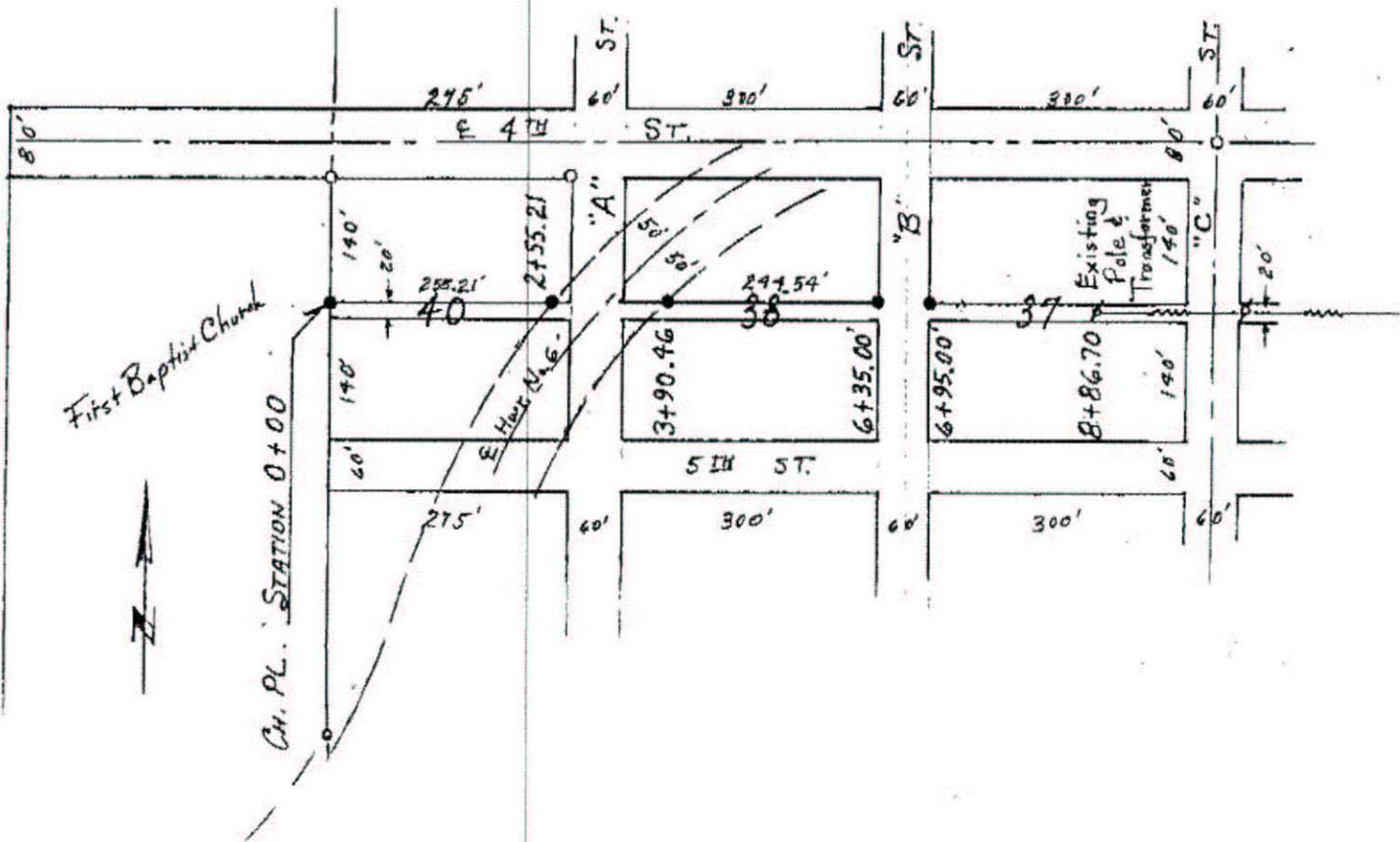
RT. 1 BOX 18K, Blair, OK 73526-9008 • 680-563-9489 • 1-888-392-0195 • FAX 580-563-9580

CLIENT: Town of Olustee DATE SURVEYED: Jan. 4, 2001

ADDRESS: Town Hall, Olustee, Oklahoma 73560

DESCRIPTION:

Survey and set monuments along the North Boundary of the East-West 20 Ft. wide Alley from the center of Block 37 West to the East Property Line of the First Baptist Church.

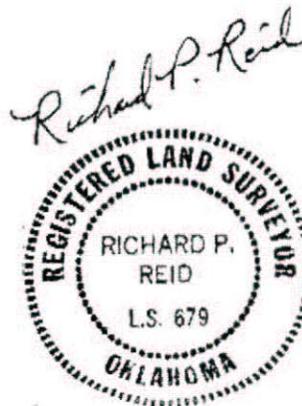


CORRECTED DESCRIPTION
January 10, 2001

A tract of land located in the NW $\frac{1}{4}$ of Section 20, T1N, R21W of the Indian Base and Meridian, Jackson County, Oklahoma, more particularly described as follows:

Beginning at the SW. Corner of Block 2 of the Warren Heights Addition to the Town of Olustee, Oklahoma; thence S 00°21'25" E along the West Line of Blocks 40 and 41 of the "B" Addition to the Town of Olustee a distance of 713.11 Feet to a point on the North Right-of-Way Line of Oklahoma State Highway No. 6; thence traversing Southwesterly 467.67 Feet along the said North Right-of-Way Line on a curve to the right having a radius of 656.80 Feet and a chord that bears S 55°21'06" W 457.85 Feet; thence N 00°21'25" W 970.22 Feet; thence N 89°30'54" E along the extended North Line of Fourth Street a distance of 378.27 Feet to the point of beginning, containing 7.60 Acres, more or less.

The North 80 Feet of the described tract is herewith reserved and granted to the public by the grantor(s) as easement for road and utility purposes.

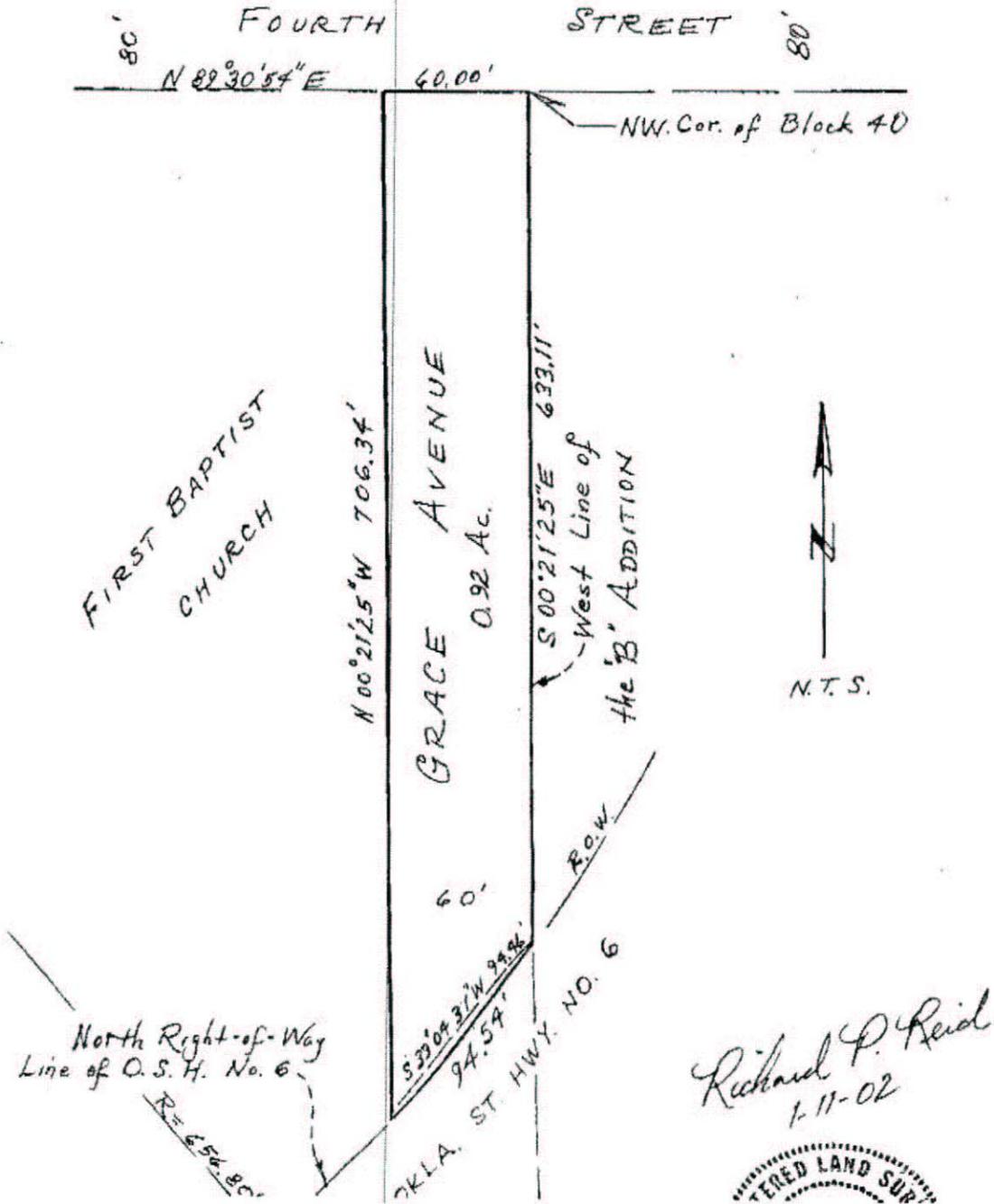


GRACE AVENUE

Description for Street Dedication

A tract of land located in the NW $\frac{1}{4}$ of Section 20, T1N, R21W of the Indian Base and Meridian, Jackson County, Oklahoma, more particularly described as follows:

Beginning at the NW. Corner of Block 40 of the "B" Addition to the Town of Olustee; thence S 00°21'25" E along the West Line of the said "B" Addition a distance of 633.11 Feet to a point on the North Right-of-Way Line of Oklahoma State Highway No. 6; thence Southwesterly 94.54 Feet along the said North Right-of-Way Line on a curve to the right having a radius of 656.80 Feet and a chord that bears S 39°04'37" W 94.46 Feet; thence N 00°21'25" W 706.34 Feet to the South Line of Fourth Street; thence N 89°30'54" E 60.00 Feet to the point of beginning. Containing 0.92 Acre, more or less.



Richard P. Reid
1-11-02

REGISTERED LAND SURVEYOR