RECEIVED
OCT 26 2011
OKLAHOMA TAX COMMISSION
AD VALOREM DIV.

ORDINANCE NO. 2011-13

AN ORDINANCE ANNEXING CERTAIN TERRITORY LOCATED ADJACENT OR CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF PERRY, OKLAHOMA, NAMELY A PIECE, PARCEL AND TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER (NE/4) OF SECTION NINETEEN (19), TOWNSHIP TWENTY-ONE NORTH (21N), RANGE ONE WEST (1W) OF THE INDIAN MERIDIAN, COUNTY OF NOBLE, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT: BEGINNING AT THE NORTHEAST CORNER OF THE SAID NORTHEAST QUARTER (NE/4) OF SECTION NINETEEN (19); THENCE WEST, ALONG THE NORTH BOUNDARY LINE OF THE SAID NORTHEAST QUARTER (NE/4) OF SECTION NINETEEN (19), A DISTANCE OF 2134 FEET; THENCE SOUTH, PARALLEL WITH THE EAST BOUNDARY LINE OF THE SAID NORTHEAST QUARTER (NE/4) OF SECTION NINETEEN (19), A DISTANCE OF 1632 FEET; THENCE EAST, PARALLEL WITH THE NORTH BOUNDARY LINE OF THE SAID NORTHEAST QUARTER (NE/4) OF SECTION NINETEEN (19), A DISTANCE OF 2134 FEET; THENCE NORTH, ALONG THE EAST BOUNDARY LINE OF THE SAID NORTHEAST QUARTER (NE/4) OF SECTION NINETEEN (19), A DISTANCE OF 1632 FEET TO THE POINT OF BEGINNING; ACKNOWLEDGING RECEIPT OF A WRITTEN PETITION REQUESTING SUCH ANNEXATION FROM AT LEAST THREE-FOURTHS OF THE REGISTERED VOTERS AND THE OWNERS OF AT LEAST THREE-FOURTHS (IN VALUE) OF THE TERRITORY TO BE ANNEXED, WHICH PETITION WAS TO BE PRESENTED TO THE CITY COUNCIL OF THE CITY OF PERRY, OKLAHOMA, ON OCTOBER 3, 2011, AND IS ATTACHED AS EXHIBIT "A"; NOTICE OF THE PRESENTATION OF THE PETITION REQUESTING SUCH ANNEXATION WAS PUBLISHED ON THE 9TH DAY OF SEPTEMBER 2011 AND ON THE 16TH DAY OF SEPTEMBER 2011, IN THE PERRY DAILY JOURNAL, WITH A COPY OF SUCH NOTICE AND PUBLICATIONS ATTACHED AS EXHIBIT "B"; ATTACHING A MAP OF THE ANNEXED TERRITORY AS EXHIBIT "C"; PROVIDING FOR THE AUTHORITY FOR SUCH ANNEXATION; DIRECTING THE MAYOR OR DESIGNEE TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH ATTACHMENTS WITH THE COUNTY CLERK OF NOBLE COUNTY, AND TO AMEND THE CITY OF PERRY'S ZONING MAP TO SHOW THAT SUCH ANNEXED PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE CITY OF PERRY, OKLAHOMA; GIVING NOTICE TO THE OKLAHOMA TAX COMMISSION IN ACCORDANCE WITH STATE LAW; PROVIDING FOR REPEALER; SAVINGS; SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PERRY:

Section I: The City Council of the City of Perry, Oklahoma, hereby amends the corporate limits of the City of Perry, Oklahoma, by the addition of certain territory as follows:

A piece, parcel and tract of land situated in the Northeast Quarter (NE/4) of Section Nineteen (19), Township Twenty-one North (21N), Range One West (1W) of the Indian Meridian, County of Noble, State of Oklahoma, more particularly described by metes and bounds as follows, to-wit:

Beginning at the Northeast corner of the said Northeast Quarter (NE/4) of Section Nineteen (19); Thence West, along the North boundary line of the said Northeast Quarter (NE/4) of Section Nineteen (19), a distance of 2134 feet; Thence South, parallel with the East boundary line of the said Northeast Quarter (NE/4) of Section Nineteen (19), a distance of 1632 feet; Thence East, parallel with the North boundary line of the said Northeast Quarter (NE/4) of Section Nineteen (19), a distance of 2134 feet; Thence North, along the East boundary line of the said Northeast Quarter (NE/4) of Section Nineteen (19), a distance of 1632 feet to the point of beginning;

which territory is adjacent and contiguous to the corporate limits of the City of Perry, Oklahoma, and as further shown and described by the map attached hereto as Exhibit "C" and incorporated herein by reference as if fully set out.

Section II: On this 3rd day of October 2011, the City Council hereby acknowledges the receipt of a petition from at least 3/4 of the registered voters and the owners of at least 3/4 in value of the property sought to be annexed, and hereby legislatively finds that such consent by petition was lawfully made and given, and hereby attach a copy of such petition to this ordinance as Exhibit A. The City Council also finds that the petitioners gave notice of the presentation of the petition requesting annexation by publishing such notice on the 9th day of September 2011, and on the 16th day of September 2011, in the Perry Daily Journal, with a copy of such Notice and publications attached as Exhibit "B".

Section III. The City Council legislatively finds that the legal authority for this annexation is 11 O.S. 21-105.

Section IV: The City Council hereby directs the Mayor or designee to file a certified copy of this ordinance with attachments with the County Clerk of Noble County and with the Ad Valorem Division of the Oklahoma Tax Commission, and to amend the City of Perry's Zoning Map to show that such annexed property is now within the corporate limits of the City of Perry, Oklahoma.

Section V. REPEALER. All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed.

Section VI. SAVINGS CLAUSE. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section VII. 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 Mayor and City Council of the City of Perry, Oklahoma, that this ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part not been included.

Section VIII. EMERGENCY. In order to protect the health, safety and welfare of the general public of the City of Perry, Oklahoma, and in order to immediately annex the annexed property into the corporate limits of the City of Perry, Oklahoma, an emergency is hereby declared; therefore, this ordinance shall become effective from and after its date of publication.

PASSED AND APPROVED by the Mayor and City Council on the 3rd day of October 2011.

THE CITY OF PERRY, OKLAHOMA

Charles Hall, Mayor

SEAL
(ATTEST)

CITY CLERK SEAL CITY OF PERRY, OKLAHOMA

Dixie Johnson, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Bryce S. Kennedy, City Attorney

Exhibit A

PETITION REQUESTING ANNEXATION OF CERTAIN ADJACENT OR CONTIGUOUS TERRITORY INTO THE CORPORATE LIMITS OF THE CITY OF PERRY, OKLAHOMA

I, Charles Hall, the Mayor of the City of Perry, Oklahoma, on behalf of the City of Perry, Oklahoma, a municipal corporation, hereby represent that at least three-fourth of the registered voters and the owners of at least three-fourth (in value) of the following described real property, located in Noble County, State of Oklahoma, more particularly described as follows:

> A piece, parcel and tract of land situated in the Northeast Quarter (NE/4) of Section Nineteen (19), Township Twenty-one North (21N), Range One West (1W) of the Indian Meridian, County of Noble, State of Oklahoma, more particularly described by metes and bounds as follows, to-wit: Beginning at the Northeast corner of the said Northeast Quarter (NE/4) of Section Nineteen (19); Thence West, along the North boundary line of the said Northeast Quarter (NE/4) of Section Nineteen (19), a distance of 2134 feet; Thence South, parallel with the East boundary line of the said Northeast Quarter (NE/4) of Section Nineteen (19), a distance of 1632 feet; Thence East, parallel with the North boundary line of the said Northeast Quarter (NE/4) of Section Nineteen (19), a distance of 2134 feet; Thence North, along the East boundary line of the said Northeast Quarter (NE/4) of Section Nineteen (19), a distance of 1632 feet to the point of beginning;

desire to annex this real property (which shall be known as the "property sought to be annexed") into the corporate limits of the City of Perry, Oklahoma. The property sought to be annexed is adjacent or contiguous to the corporate limits of the City of Perry, Oklahoma, a municipal corporation. On behalf of the municipal corporation, I request that the City Council of the City of Perry, Oklahoma, annex the property sought to be annexed into the corporate limits of the City of Perry, Oklahoma, with the consent of its owner, the City of Perry, Oklahoma, as indicated by my signature as the Mayor, and which action was authorized by a unanimous vote of the City of Perry, Oklahoma, at a regular meeting held on the 6th day of September 2011, who constitute at least three-fourth of the registered voters and owners of the property sought to be annexed. This petition is filed in accordance with 11 §21-105.

THE CITY OF PERRY, OKLAHOMA

By: Charles Hall, Mayor

ATTEST SEAL

Dixie Johnson, City Clerk

CITY CLERK SEAL CITY OF PERRY, OKLAHOMA

Exhibit B

NOTICE OF THE PRESENTATION OF A PETITION REQUESTING ANNEXATION OF CERTAIN ADJACENT OR CONTIGUOUS TERRITORY INTO THE CORPORATE LIMITS OF THE CITY OF PERRY, OKLAHOMA

I, Charles Hall, the Mayor of the City of Perry, Oklahoma, on behalf of the City of Perry, Oklahoma, a municipal corporation, hereby represent that at least three-fourth of the registered voters and the owners of at least three-fourth (in value) of the following described real property, located in Noble County, State of Oklahoma, more particularly described as follows:

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desire to give notice of the presentation of a petition seeking the City Council of the City of Perry, Oklahoma, annex the afore-described real property (which shall be known as the "property sought to be annexed") into the corporate limits of the City of Perry, Oklahoma.

The petition will be presented to the City Council on October 3, 2011, beginning at 6:15 p.m., in the City Council Chambers in the Municipal Court Building at 729 Cedar Street, Perry, Oklahoma, 73077. At that time the City Council may approve an ordinance annexing the property into the corporate limits.

The property sought to be annexed is adjacent or contiguous to the corporate limits of the City of Perry, Oklahoma, a municipal corporation.

This petition is filed in accordance with 11 §21-105.

Dated the 6th day of September 2011.

THE CITY OF PERRY, OKLAHOMA

By: Charles Hall, Mayor

ATTEST

Dixie Johnson, City Clerk

SEAL

CITY CLERK SEAL CITY OF PERRY, OKLAHOMA

Exhibit B

(Published In The Perry Daily Journal September 9 and 16, 2011)

NOTICE OF THE PRESENTATION OF A PETITION REQUESTING ANNEXATION OF CERTAIN ADJACENT OR CONTIGUOUS TERRITORY INTO THE CORPORATE LIMITS OF THE CITY OF PERRY, OKLAHOMA

I, Charles Hall, the Mayor of the City of Perry, Oklahoma, on behalf of the City of Perry, Oklahoma, a municipal corporation, hereby represent that at least three-fourth of the registered voters and the owners of at least three-fourth (in value) of the following described real property, located in Noble County, State of Oklahoma, more particularly described as follows:

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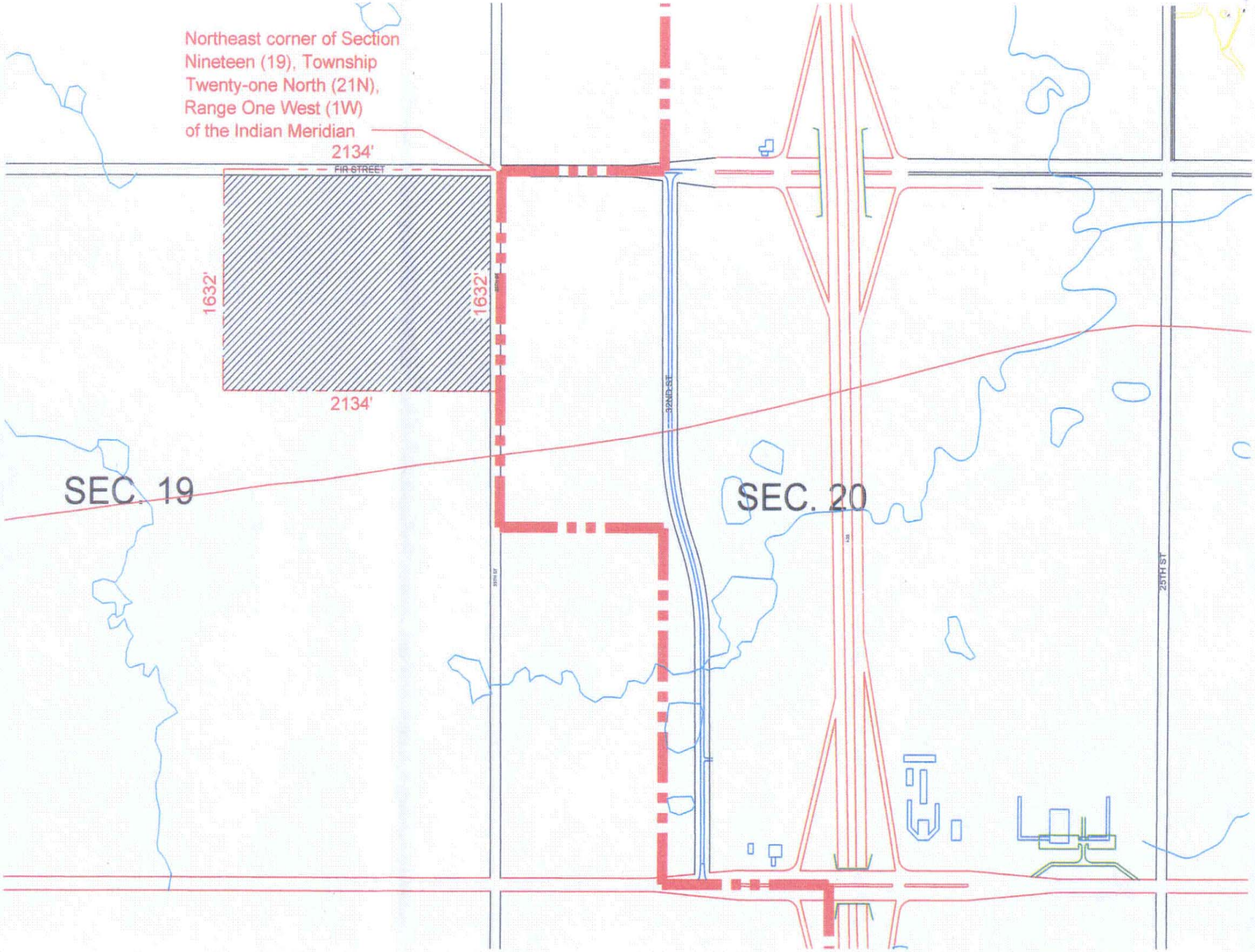
This petition is filed in accordance with 11 §21-105.

Dated the 6th day of September 2011.

THE CITY OF PERRY, OKLAHOMA
By: Charles Hall, Mayor
ATTEST
SEAL
Dixie Johnson, City Clerk


Northeast corner of Section
Nineteen (19), Township
Twenty-one North (21N),
Range One West (1W)
of the Indian Meridian
2134'
FIR STREET
1632'
1632'
2134'
32ND ST
SEC. 19
SEC. 20
25TH ST

CERTIFICATION OF ORDINANCE NO. 2011-13 ANNEXING CERTAIN TERRITORY TO THE CITY OF PERRY, OKLAHOMA, WITH AFFIDAVITS OF PUBLICATION AND ACCURATE MAP ATTACHED

I, Charles Hall, Mayor of the City of Perry, Oklahoma, and Dixie Johnson, City Clerk of the City of Perry, Oklahoma, do hereby certify that attached to this Certification are true and correct copies of the following documents pertaining to this annexation:

1. Ordinance No. 2011-13 annexing the territory located in Noble County into the corporate limits of the City of Perry, Oklahoma, which ordinance was approved by the City Council on the 3rd day of October 2011.

2. Affidavits of Publication of the Notice of the Submitting of the Petition requesting annexation.

3. An accurate map of the territory annexed.

Dated this 3rd day of October 2011.

Charles Hall, Mayor of the City of Perry, Oklahoma

ATTEST
SEAL:

CITY CLERK SEAL CITY OF PERRY, OKLAHOMA

Dixie Johnson, City Clerk

STATE OF OKLAHOMA)
) ss:
COUNTY OF NOBLE)

The foregoing instrument was acknowledged before me on this 3rd day of October 2011, by Charles Hall, acting in his capacity as the Mayor of the City of Perry, Oklahoma, and Dixie Johnson, acting in her capacity as the City Clerk of the City of Perry, Oklahoma.

VICKI HAGUMAN NOTARY PUBLIC #11004605 Exp. 05-19-15 IN AND FOR STATE OF OKLAHOMA NOBLE COUNTY

Notary Public

My commission expires: 05-19-15

Return to: Ms. Dixie Johnson, City Clerk of the City of Perry, Oklahoma, P. O. Box 798, Perry, Oklahoma, 73077.

AFFIDAVIT OF PUBLICATION

Perry Daily Journal
P O Box 311
Perry OK 73077-0311
580/336-2222

:, Phillip R. Reid, of lawful age, being duly sworn upon ıth, deposes and says:

Γhat I am the Publisher of the *Perry Daily Journal,* a aily newspaper printed and published in the City of ɜrry, County of Noble, and State of Oklahoma, and at the advertisement referred to, a true and printed copy hereunto attached, was published in said *Perry Daily ɔurnal* in consecutive issues on the following dates to it:

ɜt insertion September 9 20 11
ıd insertion September 16 20 11
·d insertion _____ 20 ____
h insertion _____ 20 ____
h insertion _____ 20 ____

'hat said newspaper has been published continuously ıd uninterruptedly in said county during a period of ıe-hundred and four consecutive weeks prior to the pub- ɜation of the attached notice or advertisement; that it ıs been admitted to the United States mail as publica- ɔns (second-class) mail matter, that it has a general paid rculation, and publishes news of general interest, and herwise conforms with all of the statutes of the State ʃ Oklahoma governing legal publications.

ublication Fee.....$ 120.89

Phillip R Reid
Editor, Publisher or Authorized Agent

UBSCRIBED and sworn to before me this 16th day of September 20 11.

Lori Battles
Notary Public

ly Commission Expires: 7-31, 20 13

ɜEAL)

NOTARY PUBLIC SEAL
LORI BATTLES
Notary Public in and for the State of Oklahoma
Commission #01012771
My Commission expires 7/31/2013

(Published In The Perry Daily Journal September 9 and 16, 2011)

NOTICE OF THE PRESENTATION OF A PETITION REQUESTING ANNEXATION OF CERTAIN ADJACENT OR CONTIGUOUS TERRITORY INTO THE CORPORATE LIMITS OF THE CITY OF PERRY, OKLAHOMA

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This petition is filed in accordance with 11 §21-105.

Dated the 6th day of September 2011.

THE CITY OF PERRY, OKLAHOMA
By: Charles Hall, Mayor
ATTEST
SEAL
Dixie Johnson, City Clerk