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2004-340 Book 591 P 43
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Ronita Coldiron - Noble County

CITY OF PERRY ORDINANCE NO. 2004-6

AN ORDINANCE AMENDING THE CORPORATE LIMITS OF THE CITY OF PERRY, OKLAHOMA, BY THE ADDITION OF CERTAIN TERRITORY WHICH IS ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF PERRY, OKLAHOMA, WHICH PROPERTY IS CURRENTLY OWNED BY DAVID R. BROWN, DARETTA R. BROWN, DANIEL T. UMBACH, GWENDOLYN F. UMBACH, MIKE SKOUBY AND MARNIE SKOUBY; ACKNOWLEDGING RECEIPT OF A WRITTEN CONSENT FOR SUCH ANNEXATION FROM A MAJORITY OF THE OWNERS OF THE ANNEXED PROPERTY AND ATTACHING A LEGAL DESCRIPTION AND MAP OF THE ANNEXED TERRITORY AS EXHIBIT "A" AND A COPY OF THE WRITTEN CONSENT TO THIS ORDINANCE AS APPENDIX "1"; PROVIDING FOR THE AUTHORITY FOR SUCH ANNEXATION; DESCRIBING BY METES AND BOUNDS THE PROPERTY ANNEXED; DIRECTING THE CITY CLERK OR DESIGNEE TO FILE A CERTIFIED COPY OF THIS ORDINANCE 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; PROVIDING FOR PROVIDING FOR REPEALER; SAVINGS; SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRY, OKLAHOMA:

Section I: The Mayor and Board of Aldermen of the City of Perry, Oklahoma, hereby amend the corporate limits of the City of Perry, Oklahoma, by the addition of certain territory described in Exhibit "A" and Appendix 1, attached hereto and incorporated herein by reference as if fully set out.

which territory is adjacent and contiguous to the corporate limits of the City of Perry, Oklahoma.

Section II: The Mayor and Board of Aldermen hereby acknowledge the receipt of written consent for such annexation from a majority of the owners of the annexed property, and hereby legislatively find that such consent is lawfully made and given, and hereby attach a copy of such written consent to this ordinance as Appendix "1".

Section III. The Mayor and Board of Aldermen legislatively find that the legal authority for this annexation is 11 O.S. 21-101 and 11 O.S. 21-103A.

Section IV: The Mayor and Board of Aldermen hereby direct the City Clerk or designee to file a certified copy of this ordinance

Return to: The City of Perry, P. O. Drawer 798, Perry, OK 73077

with the County Clerk of Noble County, Oklahoma, and to amend the City of Perry 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.

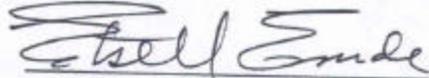
Section VI. SAVINGS CLAUSE. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall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

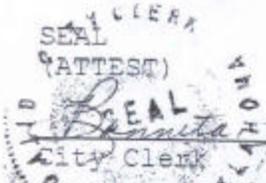
Section VII. SEVERABILITY. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Council of the City of Perry that this section of the Perry Municipal Code 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.

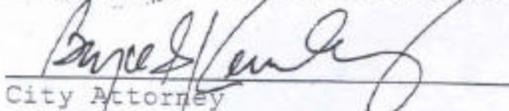
PASSED AND APPROVED by the Mayor and City Council on the 2nd day of February, 2004.

THE CITY OF PERRY, OKLAHOMA


Etsell Emde, Mayor

SEAL
(ATTEST)

Beaumont Foster
City Clerk

APPROVED AS TO FORM AND LEGALITY:


City Attorney

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EXHIBIT A

TWO PARCELS OF REAL PROPERTY LOCATED IN THE NE/4 OF SECTION NINE (9), T21N, R1W.I.M., NOBLE COUNTY, OKLAHOMA, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE CORNER OF THE NE/4 OF SECTION NINE (9), T21N, R1W.I.M., NOBLE COUNTY, OKLAHOMA, THENCE WEST 113 FEET ALONG THE QUARTER'S SECTION LINE, THENCE NORTH 80 FEET PARALLEL TO THE SECTION LINE, THENCE EAST 70 FEET, THENCE NORTH 1242.80 FEET PARALLEL TO THE SECTION LINE, THENCE EAST 43 FEET, THENCE SOUTH 1322.8 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING, AND

THE EAST ONE HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION NINE, T21N, R1W.I.M., NOBLE COUNTY, OKLAHOMA, LESS AND EXCEPT THE SOUTH 480 FEET (7.27 ACRES, MORE OR LESS) OF THE SE/4 OF THE NE/4.

NE 1/4 of Sec 9. Twp 21N R. 1W, I. M.
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