

ORDINANCE No. 59

AN ORDINANCE AUTHORIZING RESTRICTION OF TOWN OF  
PIEDMONT BY DE-ANNEKING CERTAIN LANDS WHICH ARE  
INCLUDED IN TOWNSHIP 13 N., RANGE 5 W, and Town-  
ship 13 N., RANGE 6 W., I. M. MORE PARTICULARLY  
HEREINAFTER DESCRIBED, AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Trustees of the Town of Piedmont, Oklahoma  
in special session assembled, after due discussion and consideration,  
do determine that the petition for de-annexation of certain lands  
having been submitted to the Chairman of Board of Trustees, and that  
on examination of said petition it appears that three-fourths of  
the voters and three-fourths of the property owners in value, desire  
to be de-annexed from the Town of Piedmont, Oklahoma. And,

WHEREAS, it further appearing that said petition for de-annexation  
was published in the Yukon Sun, a weekly newspaper published in  
Canadian County, Oklahoma, on the 11th and the 18th days of April,  
1963 for two successive weeks, and that said lands to be deannexed  
included in said notice are on the boundary of said city limits of the  
Town of Piedmont, and that said lands are not laid out into town lots  
or blocks.

NOW THEREFORE, be it ordained by the Board of Trustees of the  
Town of Piedmont, Oklahoma:

Section 1. That the corporate limits of the Town of Piedmont,  
Oklahoma be altered and restricted by de-annexing the following  
described real estate therefrom, to-wit:

The SE $\frac{1}{4}$  of Section 8; and N $\frac{1}{4}$ ; and SE $\frac{1}{4}$ ; and S $\frac{1}{4}$   
of SW $\frac{1}{4}$  of Section 17; and NE $\frac{1}{4}$  of Section 20; and  
N $\frac{1}{4}$  of Section 18; the SW $\frac{1}{4}$  of Section 7, and all  
that part of the S $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 7, lying south  
of the Northwest Highway, all in Township 13 North,  
Range 5 West of I. M.; and the W $\frac{1}{2}$ ; and SE $\frac{1}{4}$  of Section 12;  
and NW $\frac{1}{4}$  of Section 13, Township 13 North, Range 6 West  
I. M. all in Canadian County, Oklahoma

all situated in Canadian County, Oklahoma.

PETITION FOR DE-ANNEXATION AND NOTICE OF PRESENTATION  
OF THE SAME TO THE BOARD OF TRUSTEES OF THE TOWN OF  
PIEDMONT, OKLAHOMA

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We, the undersigned, being the owners of more than 3/4ths  
in value and area of the following described property, to-wit:

*Phillips*

The Southeast Quarter (SE/4) of Section 8; the North  
One-half (N/2) and the Southeast Quarter (SE/4) and  
the South One-half (S/2) of the Southwest Quarter (SW/4)  
of Section 17; the Northeast Quarter (NE/4) of Section  
20; the North One-half (N/2) of Section 18; the South-  
west Quarter (SW/4) of Section 7, and all that part of  
the South One-half (S/2) of the Southeast Quarter (SE/4)  
of Section 7 lying South of the Northwest Highway, all  
in Township 13 North, Range 5 West of the Indian  
Meridian; and the West One-half (W/2) and the South-  
east Quarter (SE/4) of Section 12; and the Northwest

PETITION FOR DE-ANNEXATION AND NOTICE OF PRESENTATION  
OF THE SAME TO THE BOARD OF TRUSTEES OF THE TOWN OF  
PIEDMONT, OKLAHOMA

We, the undersigned, being the owners of more than 3/4ths in value and area of the following described property, to-wit:

The Southeast Quarter (SE/4) of Section 8; the North One-half (N/2) and the Southeast Quarter (SE/4) and the South One-half (S/2) of the Southwest Quarter (SW/4) of Section 17; the Northeast Quarter (NE/4) of Section 20; the North One-half (N/2) of Section 18; the Southwest Quarter (SW/4) of Section 7, and all that part of the South One-half (S/2) of the Southeast Quarter (SE/4) of Section 7 lying South of the Northwest Highway, all in Township 13 North, Range 5 West of the Indian Meridian; and the West One-half (W/2) and the Southeast Quarter (SE/4) of Section 12; and the Northwest Quarter (NW/4) of Section 13, Township 13 North, Range 6 West of the Indian Meridian, all in Canadian County, Oklahoma,

said property now being within the incorporated Town of Piedmont, Oklahoma, and being upon the border and within the limits thereof, and being more than 3/4ths of the legal voters residing on the above described property, hereby petition the Board of Trustees of the Town of Piedmont, Oklahoma, to disconnect and exclude such territory from the Town of Piedmont. Said lands are not laid out into town lots or blocks.

Dated this 2nd day of April, 1963.

OWNER	DESCRIPTION OF PROPERTY	SIGNATURE
<u>Ed Paal</u>	<u>108A SE 7-13-5</u>	<u>Hazel Paal</u>
<u>Levy McGranahan</u>	<u>NE 1/4 18-13-5</u>	
<u>Lena McGranahan</u>	<u>NE 1/4 18-13-5</u>	
<u>John H.D. Wiedemann</u>	<u>SW 1/4 7-13-5</u>	
<u>Ralph J. Truce</u>	<u>SE 1/4 17; NE 1/4 20; both in 13-5; NW 1/4 13-13-6</u>	
<u>Earl J. Truce</u>		
<u>Hill Hodges</u>	<u>5 1/2 of 12-13-6</u>	<u>Luth W. Hodges</u>
<u>Eugene Burkhead</u>	<u>S 1/2 SW 1/4 17-13-6</u>	<u>Ada Lee Burkhead</u>

**LEGAL VOTERS:**

<u>Levy McGranahan</u>	<u>Ed Paal</u>
<u>Lena McGranahan</u>	<u>Hazel Paal</u>
<u>John H.D. Wiedemann</u>	<u>L. H. McGranahan</u>
<u>Ralph J. Truce</u>	<u>Clarence McGranahan</u>
<u>Earl J. Truce</u>	<u>Levy McGranahan</u>

Town of Piedmont 3-24-63 8-15-5  
 W. Betty Phillips

IN THE DISTRICT COURT OF CANADIAN COUNTY, STATE OF OKLAHOMA

STATE OF OKLAHOMA, Ex Rel John V. Whelan,  
COUNTY ATTORNEY, CANADIAN COUNTY,  
OKLAHOMA

Plaintiff, )

vs. )

No. 19098 )

The City of Oklahoma City, a  
municipal corporation, Evelyn Huggard,  
and The Town of Piedmont, Oklahoma,  
a municipal corporation, )

Defendants, )

ANSWER OF DEFENDANT THE TOWN  
OF PIEDMONT, OKLAHOMA

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Comes now the defendant The Town of Piedmont, Oklahoma, and  
for its answer to the plaintiff's petition and amended petition,  
alleges and states:

I.

Plaintiff admits that it is now and was at all times mentioned  
in said petitions a town incorporated under the statutes of the State  
of Oklahoma, having a president and Board of Trustees, and that no  
newspaper is now or was at any time mentioned in said petitions published  
in said town.

II.

For further answer to petitions of plaintiff, this defendant  
alleges that pursuant to a petition signed, executed and filed as  
required by law, asking for the annexation of land hereinafter described,  
to the corporate limits of the Town of Piedmont, Oklahoma, on the  
7th day of April, 1902, in a special session, ordinance 356 was duly  
and lawfully enacted as an emergency ordinance by the Town Board of  
the Town of Piedmont, Oklahoma, annexing said territory, and  
hereinafter on the 9th day of April, 1902, recorded in the office of  
the County Clerk in Book 332 at page 781 of the records of that  
office. That notice of the enactment of said ordinance was given

by posting in 10 public places, as provided by law for enactment of ordinances by Town Boards. This defendant admits that copies of said petition and Ordinance #56 designated as Exhibits A and B of plaintiff's petition are true and correct.

### III.

That the land annexed to the Town of Piedmont, Oklahoma by said ordinance #56 is fully and completely enumerated and described therein. That a true and correct copy of said Ordinance containing said description of lands, is hereto attached, made a part of this answer the same as if herein set forth in full, and marked Exhibit A

### IV.

For further answer, this defendant alleges that its Ordinance #56 annexing territory therein described, was prior to any ordinance enacted by the defendant City of Oklahoma City, annexing any part of the aforesaid territory, which ordinances are set forth in plaintiff's petition.

WHEREFORE, this defendant prays that the Court find and adjudge that Ordinance #56 of the Town of Piedmont, Oklahoma, is a valid ordinance and that the territory therein described is legally annexed thereby to the Town of Piedmont, Oklahoma, and that the defendant, Oklahoma City, Oklahoma, a municipality, be enjoined and restrained from asserting any jurisdiction therein or thereover and for such other relief as to the court may seem just and proper.

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President of Board of Trustees  
of Town of Piedmont, Oklahoma

ATTEST:

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Clerk.

Section 2: The Chairman of Board of Trustees is hereby authorized and directed to cause a copy of this ordinance, together with an accurate map of the territory de-annexed, duly certified by the Clerk of the Town of Piedmont, to be filed in the office of the County Clerk of Canadian County, Oklahoma, and have the same recorded therein.

Section 3: Whereas, an immediate necessity exists by reason of need of said Town of Piedmont to clarify their boundary lines, and it being necessary for the preservation of the public health, safety, best interest and general welfare of the Town of Piedmont, an emergency is hereby declared to exist by reason thereof this ordinance shall take effect and be in full force from and after its passage, approval and publication.

PASSED AND APPROVED this 26 day of April, 1963.

Beryl Jones  
CHAIRMAN OF BOARD OF TRUSTEES

SEAL

ATTEST:

Clyde Piddick Clerk.