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Fee: \$ 0.00 Doc: \$ 0.00
Lois Hawkins - McClain County Clerk
State of Oklahoma

By _____, Deputy
Return to: *Craig G. Purcell*
Box 71
Purcell OK 73089

ORDINANCE 07-10



AN ORDINANCE OF THE CITY OF PURCELL, OKLAHOMA, EXTENDING BY ANNEXATION THE CITY LIMITS OF THE CITY OF PURCELL, TO INCLUDE PROPERTY IN 7N 2W SECTIONS 9, 14, 15, 16, 21, 22, 23, 26, 27, 28 AND 35, MORE PARTICULARLY DESCRIBED AS FOLLOWS; SECTION 9 ALL OF THE S 1/2 OF THE SW 1/4 ON THE W SIDE OF I-35, SECTION 14 300' FEET ON THE W BOUNDARY OF THE SW 1/4 OF THE SW 1/4 OF THE SW 1/4 AND 300' FEET OF THE S BOUNDARY OF THE N 1/2 OF THE SW 1/4 OF THE SW 1/4 AND A 3.83 ACRE TRACT OWNED BY MR. PRUITT IN THE E 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE SW 1/4, SECTION 15 THE S 1/2 OF THE SW 1/4 AND ALL THE LAND LYING ON THE W SIDE OF I-35 AND A 4.08 ACRE TRACT AND A 0.92 ACRE TRACT BOTH OWNED BY J & J EXPRESS BOTH IN THE W 1/2 OF THE NW 1/4 OF THE SW 1/4 BOTH ON THE E SIDE OF I-35, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING 16.5' FEET E OF THE NW CORNER OF THE NW 1/4 OF THE SW 1/4 THENCE S 636' FEET THENCE SE 360' FEET THENCE NE 270' FEET THENCE NW 448' FEET THENCE N 440' FEET THENCE W 200' FEET TO THE POINT OF BEGINNING. LESS 0.92 ACRES FOR A TOTAL OF 4.08 ACRES. BEGINNING 16.5' FEET E AND 240' FEET S OF THE NW CORNER OF THE SW 1/4 THENCE S 200' FEET THENCE E 200' FEET THENCE N 200' FEET THENCE W 200' FEET TO THE POINT OF BEGINNING. FOR A TOTAL OF 0.92 ACRES. BOTH OWNED BY J & J EXPRESS, SECTION 16, ALL OF SECTION 16 ON THE W SIDE OF I-35 AND ALL OF THE WOODARD PROPERTY LYING ON THE E SIDE OF I-35 MORE PARTICULARLY DESCRIBED W 1/2 OF SE 1/4 OF NE 1/4 AND SW 1/4 OF NE 1/4 OF NE 1/4 AND W 1/2 OF NE 1/4 SECTION 16 AND A 3.10 ACRE TRACT OWNED BY DONNA MURRAY IN THE S 1/2 OF THE SE 1/4 OF SE 1/4 OF THE NE 1/4 MORE PARTICULARLY DESCRIBED AS FOLLOWS (THE S 4 ACRES OF THE SE 1/4 OF THE SE 1/4 OF THE NE 1/4 LESS A SMALL TRACT IN THE SW CORNER) AND A 2.29 ACRE TRACT OWNED BY JOHN THAW IN THE NE CORNER OF THE NE 1/4 OF THE NE 1/4 OF THE SE 1/4 ALL ON THE E SIDE OF I-35, SECTION 21 ALL OF THE N 1/2 AND 0.5 ACRES IN THE NE CORNER OF THE NE 1/4 OF THE NE 1/4 OF THE SE 1/4 ALL ON THE NE SIDE OF STATE HIGHWAY 74 OWNED BY PHYLLIS BENNETT, SECTION 22, ALL OF THE N 1/2 AND A 7.85 ACRE TRACT IN THE NE CORNER OF THE NE 1/4 OF THE SE 1/4 OF THE SE 1/4 AND THE E 1/2 OF THE SE 1/4 OF THE SW 1/4 AND 300' FEET ALONG THE N BOUNDARY OF THE S 1/2 OF THE SW 1/4 AND 300 FEET ALONG WEST BOUNDARY OF THE SW 1/4 OF SW 1/4 AND THE N 1/2 OF THE S 1/2 **EXCLUDING** A 3 ACRE TRACT IN THE SW 1/4 OF THE NW 1/4 OF THE SW 1/4 OWNED BY MR. EVANS MORE PARTICULARLY DESCRIBED AS FOLLOWS (ALL THAT PART OF THE SW 1/4 OF THE NW 1/4 OF THE SW 1/4 LYING S & W OF STATE HIGHWAY 74, SECTION 23, THE N 1/2 OF THE NW 1/4 OF THE NW 1/4 AND THE N 1/2 OF THE NW 1/4 OF THE SW 1/4 OF THE SW 1/4 AND 300' FEET ALONG THE W BOUNDARY OF THE SW 1/4 OF THE SW 1/4, SECTION 26, 300' FEET ON THE S BOUNDARY OF SECTION 26 NOT PREVIOUSLY ANNEXED, SECTION 27, ALL OF THE SW 1/4 AND THE S 1/2 OF THE S 1/2 OF THE NW 1/4 AND THE E 1/2 OF THE E 1/2 OF THE NW 1/4 AND THE N 1/2 OF THE NE 1/4 OF THE SE 1/4 OF THE NE 1/4 AND A 5 ACRE

TRACT OWNED BY MARK AND STEPHANIE HOWARD IN THE NW ¼ OF THE SW ¼ OF THE SE ¼ AND 300' FEET ALONG THE S BOUNDARY OF THE SE ¼, SECTION 28, THE W ½ OF THE NE ¼ AND 300' FEET ALONG THE N BOUNDARY OF THE NE ¼ OF THE NE ¼ AND THE NE ¼ OF THE SW ¼ OF THE NW ¼ AND THE NW ¼ OF THE SE ¼ OF THE NW ¼ AND THE E ½ OF THE SE ¼ OF THE NW ¼ AND THE E ½ OF THE NE ¼ OF THE SW ¼ AND THE W ½ OF THE NW ¼ OF THE NW ¼ OF THE SE ¼ AND THE SW ¼ OF THE NW ¼ OF THE SE ¼ AND THE W ½ OF THE NE ¼ OF THE SE ¼, SECTION 35, A 4 ACRE TRACT OWNED BY RICK WITTEN IN THE N ½ OF THE SW ¼ OF THE NW ¼ OF THE NW ¼, ALL PROPERTY EAST OF I-35 NTO PREVIOUSLY ANNEXED, ALL IN MCCLAIN COUNTY, OKLAHOMA DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF PURCELL, OKLAHOMA, TO WIT:

Section 1. The City has directed that notice of the proposed annexation be published in a legally qualified newspaper of general circulation in the territory proposed to be annexed which stated the date, time and place where the City shall conduct a public hearing on the question of annexing of the territory. The notice was published as required by law within fourteen (14) days following the date the City directed notice to be published.

A copy of the notice of annexation was mailed by first class mail to all of the owners of the property to be annexed as shown by the current year's ownership rolls in the office of County Treasurer and to all owners of property abutting any public right-of-way that forms the boundary of the territory proposed to be annexed and notice was mailed by certified mail to every person who owns a parcel of land of five (5) acres or more used for agriculture purpose.

The City held a public hearing no earlier than fourteen (14) days and no more than thirty (30) days following the publication and mailing of the notice.

The City has determined that the owners of at least a majority of the acres to be annexed as described herein, have given written consent to be annexed by the City.

That City limits of the City of Purcell, Oklahoma, be and the same are hereby extended by annexation to include land in the territory described as follows:

ALL IN 7N 2W OF THE INDIAN MERIDIAN IN MCLAIN COUNTY OKLAHOMA

Sections

9, 14, 15, 16, 21, 22, 23, 26, 27, 28 and 35

more particularly described;

Section 9

All of the S ½ of the SW ¼ on the W side of I-35.

Section 14

300' feet on the W boundary of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and 300' feet of the S boundary of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and a 3.83 acre tract owned by Mr. Pruitt in the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$.

Section 15

The S $\frac{1}{2}$ of the SW $\frac{1}{4}$ and all the land lying on the W side of I-35 and a 4.08 acre tract and a 0.92 acre tract both owned by J & J Express both in the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ both on the E side of I-35.

More particularly described as follows.

Beginning 16.5' feet E of the NW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ thence S 636' feet thence SE 360' feet thence NE 270' feet thence NW 448' feet thence N 440' feet thence W 200' feet to the point of beginning. Less 0.92 acres for a total of 4.08 acres.

Beginning 16.5' feet E and 240' feet S of the NW corner of the SW $\frac{1}{4}$ thence S 200' feet thence E 200' feet thence N 200' feet thence W 200' feet to the point of beginning. For a total of 0.92 acres. Both owned by J & J Express

Section 16

All of section 16 on the W side of I-35 and all of the Woodard property lying on the E side of I-35 more particularly described W $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ and W $\frac{1}{2}$ of NW $\frac{1}{4}$ Section 16 and a 3.10 acre tract owned by Donna Murray in the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ more particularly described as follows (the S 4 acres of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ less a small tract in the SW corner) and a 2.29 acre tract owned by John Thaw in the NE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ all on the E side of I-35.

Section 21

All of the N $\frac{1}{2}$ and 0.5 acres in the NE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ all on the NE side of State Highway 74 owned by Phyllis Bennett.

Section 22

All of the N $\frac{1}{2}$ and a 7.85 acre tract in the NE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and 300' feet along the N boundary of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ and 300 feet along West Boundary of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the S $\frac{1}{2}$ **excluding** a 3 acre tract in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ owned by Mr. Evans more particularly described as follows (all that part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ lying S & W of State Highway 74.

Section 23

The N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and 300' feet along the W boundary of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$.

Section 26

300' feet on the S boundary of section 26 not previously annexed.

Section 27

All of the SW $\frac{1}{4}$ and the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and a 5 acre tract owned by Mark and Stephanie Howard in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and 300' feet along the S boundary of the SE $\frac{1}{4}$.

Section 28

The W $\frac{1}{2}$ of the NE $\frac{1}{4}$ and 300' feet along the N boundary of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$.

Section 35

A 4 acre tract owned by Rick Witten in the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$. All property East of I-35 not previously annexed.

Section 2. **REPEALER.**

All former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. **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 portions of this Ordinance.

Section 4. **EMERGENCY.**

It being immediately necessary for the preservation of the public health, peace and safety of the City of Purcell and the inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED AND APPROVED and the Emergency Clause voted upon separately and passed and approved this 8th day of June, 2007.



Betty Gilman
Mayor

I-2007-005395 Book 1841 Pg: 396
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State of Oklahoma

ATTEST:

Shanna Roy
City Clerk

APPROVED as to form this 8 day of June, 2007.

Ted N. Pool
City Attorney

