

TOWN OF SEILING  
ORDINANCE NO. 2010-1

AN ORDINANCE ANNEXING CERTAIN TERRITORY ADJOINING THE EXISTING TOWN LIMITS IN LOT 7 OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 16 WIM, DEWEY COUNTY, OKLAHOMA, AND LOT 2 OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 16 WIM, MAJOR COUNTY, OKLAHOMA; DECLARING AN EMERGENCY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

WHEREAS, the Town of Seiling desires to extend its corporate limits into adjacent territory to better protect the health, safety and welfare of the existing citizens of Seiling and provide municipal services to those new citizens within the annexed territory pursuant to the provisions of Title 11, Oklahoma Statutes, Section 21-105.

BE IT ORDAINED BY THE MAYOR AND TRUSTEES FOR THE TOWN OF SEILING, OKLAHOMA, AS FOLLOWS:

SECTION 1. PETITION, NOTICE AND APPROVAL.

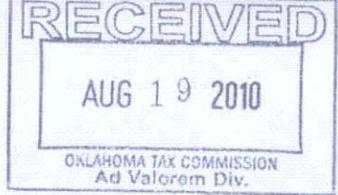
CAH Acquisition Company 9, LLC, being the sole owner of the annexed territory described below, petitioned the Town of Seiling by signing and filing a petition dated April 8, 2010 requesting annexation. The petitioner gave notice of its request by publication at least once a week for two consecutive weeks in a newspaper of general circulation in the Town of Seiling. After notice was given, the governing body met on April 22, 2010 at a special meeting and approved the request of the petitioner. In addition, the governing body met on May 10, 2010 at a regular meeting and confirmed its' prior action.

SECTION 2. ANNEXED TERRITORY

The property described by legal description on Exhibit A attached hereto is annexed into the Town of Seiling, Oklahoma, and shall be an integral part thereof.

SECTION 3. NEW CORPORATE LIMITS

The new corporate limits of the Town of Seiling are hereby extended and increased so as to include and embrace within the corporate limits of the Town of Seiling the territory described in Section 2 hereof. Such territory is hereby declared to be a part of the Town of Seiling. If the annexation of any part or parcel of the annexed territory shall for any reason be held invalid, the invalidity of such part or parcel shall not affect or prejudice in any way the applicability and validity of the remaining annexed territory. It is hereby declared to be the intention of the Town of Seiling that the remaining annexed territory would have been annexed had such invalid part or parcel not been included.



SECTION 4. RECORDING

The town officers are hereby authorized to file a copy of this Ordinance with the Dewey County Clerk and the Ad Valorem Division of the Oklahoma Tax Commission pursuant to Title 11, Oklahoma Statutes, Section 21-112.

SECTION 5. REPEALING CLAUSE

Any section of the Seiling Municipal Code or any Seiling Town Ordinance not previously codified which conflicts with the current annexation provisions of Title 11, Oklahoma Statutes, Section 21-105 (together with all other related statutes) is hereby repealed.

SECTION 6. SAVINGS CLAUSE

Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 7. SEVERABILITY

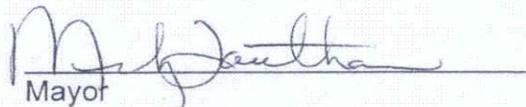
If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the Town of Seiling that this section would have been adopted had such unconstitutional, illegal, r invalid sentence, clause, section or part not been included.

SECTION 8. EMERGENCY.

It being necessary to give immediate effect to the Ordinance to protect the health, safety and welfare of the citizens of Seiling, an emergency is hereby declared to exist. By reason whereof, this Ordinance shall take effect and be in full force and effect after its passage, as provided by law.

PASSED AND APPROVED by the Board of Trustees on the 22nd day of April, 2010 and confirmed again on the 10th day of May, 2010.

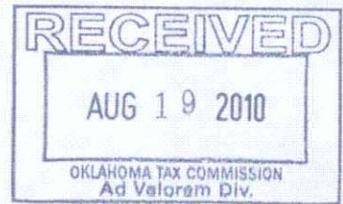
TOWN OF SEILING, OKLAHOMA

  
Mayor

ATTEST:

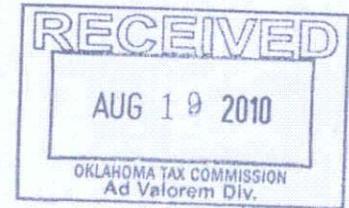
Shara Feuerborn

Town Clerk



## EXHIBIT A

## Legal Description of Replacement Site

TRACT "A"

A TRACT OF LAND SITUATED IN LOT 7 OF SECTION 32, T 20 N, R 16 W.I.M., DEWEY COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 7, THENCE NORTH (N00°09'41"E) ALONG THE EAST BOUNDARY OF SAID LOT 7 A DISTANCE OF 188.35 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH (N00°09'41"E) ALONG SAID EAST BOUNDARY A DISTANCE OF 742.19 FEET TO THE NORTHEAST CORNER OF SAID LOT 7;

THENCE WEST (N88°57'56"W) ALONG THE NORTH BOUNDARY OF SAID LOT 7 A DISTANCE OF 843.98 FEET TO A POINT ON THE NORTHEASTERLY BOUNDARY OF U.S. HIGHWAY NO. 270;

THENCE SOUTHEASTERLY (S53°21'52"E) ALONG SAID NORTHEASTERLY BOUNDARY A DISTANCE OF 132.27 FEET;

THENCE SOUTHEASTERLY (S43°22'00"E) ALONG SAID NORTHEASTERLY BOUNDARY A DISTANCE OF 210.70 FEET;

THENCE SOUTHEASTERLY (S40°40'42"E) ALONG SAID NORTHEASTERLY BOUNDARY A DISTANCE OF 208.59 FEET;

THENCE SOUTHEASTERLY (S40°47'33"E) ALONG SAID NORTHEASTERLY BOUNDARY A DISTANCE OF 206.82 FEET;

THENCE SOUTHEASTERLY (S39°35'21"E) ALONG SAID NORTHEASTERLY BOUNDARY A DISTANCE OF 280.99 FEET;

THENCE EAST (N87°07'13"E) ALONG THE NORTH BOUNDARY OF SAID U.S. HIGHWAY NO. 270 A DISTANCE OF 138.93 FEET;

THENCE SOUTHEASTERLY (S63°50'45"E) ALONG SAID NORTH BOUNDARY A DISTANCE OF 2.25 FEET;

TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 8.0575 ACRES.

TRACT "B"

A TRACT OF LAND SITUATED IN LOT 2 OF SECTION 32, T 20 N, R 16 W.I.M., MAJOR COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 7 OF SAID SECTION 32, THENCE NORTH (N00°09'41"E) ALONG THE EAST BOUNDARY OF SAID LOT 7 A

DISTANCE OF 930.54 FEET TO THE POINT OF BEGINNING (SAID POINT OF BEGINNING BEING THE SOUTHEAST CORNER OF SAID LOT 2);

THENCE CONTINUING NORTH (N00°09'41"E) ALONG THE EAST BOUNDARY OF SAID LOT 2 A DISTANCE OF 250.33 FEET;

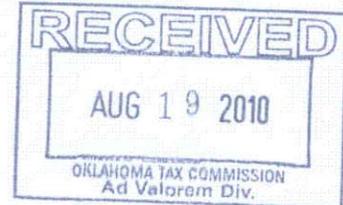
THENCE WEST (N88°57'56"W) A DISTANCE OF 1242.55 FEET TO A POINT ON THE NORTHEASTERLY BOUNDARY OF U.S. HIGHWAY NO. 270;

THENCE SOUTHEASTERLY (S59°20'30"E) ALONG SAID NORTHEASTERLY BOUNDARY A DISTANCE OF 290.31 FEET;

THENCE SOUTHEASTERLY (S53°21'52"E) ALONG SAID NORTHEASTERLY BOUNDARY A DISTANCE OF 183.45 FEET TO A POINT ON THE SOUTH BOUNDARY OF SAID LOT 2;

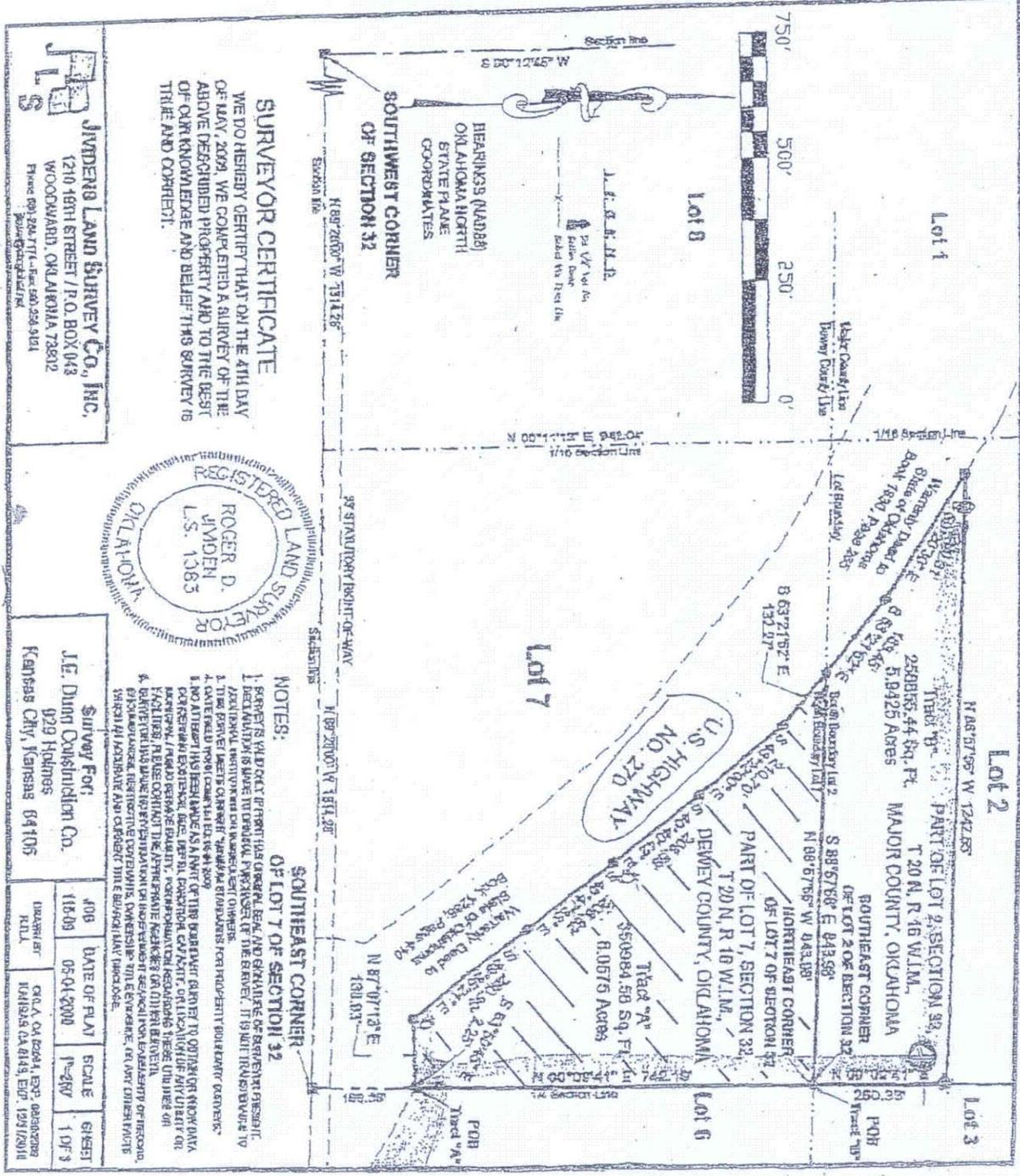
THENCE EAST (S88°57'56"E) ALONG SAID SOUTH BOUNDARY A DISTANCE OF 843.98 FEET;

TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 5.9425 ACRES.



AUG 19 2010

OKLAHOMA TAX COMMISSION  
Ad Valorem Div.



**SURVEYOR CERTIFICATE**

WE DO HEREBY CERTIFY THAT ON THE 4TH DAY OF MAY, 2009, WE COMPLETED A SURVEY OF THE ABOVE DESCRIBED PROPERTY AND TO THE BEST OF OUR KNOWLEDGE AND BELIEF THIS SURVEY IS TRUE AND CORRECT.

**JINDENS LAND SURVEY CO., INC.**  
 1210 18TH STREET / P.O. BOX 043  
 WOODWARD, OKLAHOMA 73802  
 Phone (800) 344-7171 - Fax (505) 254-9141  
 jindem@jindem.com

REGISTERED LAND SURVEYOR  
 OKLAHOMA  
 ROGER D. JINDEM  
 L.S. 1383

**Survey For:**  
**J.E. Dunn Construction Co.**  
 929 Holmes  
 Kansas City, Kansas 64105

JOB	DATE OF PLAN	SCALE	SHEET
116-06	05-01-2009	1"=200'	1 OF 3

**NOTES:**

**OF LOT 7 OF SECTION 32**

1. PERMITS FOR EXISTING UTILITY LINES SHALL BE OBTAINED BY THE OWNER OF SAID PROPERTY PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF SAID PROJECT.

2. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF THE COUNTY OF DEWEY, OKLAHOMA, AND HAS FOUND THAT THE PROPERTY DESCRIBED IN THIS SURVEY IS NOT SUBJECT TO ANY EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS.

3. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF THE COUNTY OF DEWEY, OKLAHOMA, AND HAS FOUND THAT THE PROPERTY DESCRIBED IN THIS SURVEY IS NOT SUBJECT TO ANY EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS.

4. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF THE COUNTY OF DEWEY, OKLAHOMA, AND HAS FOUND THAT THE PROPERTY DESCRIBED IN THIS SURVEY IS NOT SUBJECT TO ANY EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS.

*Dewey Co  
 +  
 Mayor Co*

**COPY**