

TOWN OF SEILING
ORDINANCE NO. 2013-2

AN ORDINANCE ANNEXING CERTAIN TERRITORY ADJOINING THE EXISTING TOWN LIMITS IN THE SW/4 OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 16 WIM, DEWEY AND MAJOR COUNTIES, OKLAHOMA, AND THE E/2 AND NW/4 OF SECTION 31, 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 21-103.

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

SECTION 1. PETITION, NOTICE AND APPROVAL.

Tony Gore, being the owner of a majority of the acres of the Annexed Territory described below petitioned the Town of Seiling by signing and filing a petition dated February 11, 2013 requesting annexation. The Town of Seiling gave notice of Gore's petition by publication in a legal newspaper of general circulation in the territory sought to be annexed on February 21, 2013. A copy of the notice was mailed as required by law. After notice was given, the governing body met on March 4, 2013 at a special meeting and conducted a public hearing on Gore's petition. Thereafter, the governing body met on March 14, 2013 at a special meeting and approved the Gore petition. Thereafter, the governing body met on May 6, 2013 and approved this Ordinance No. 2013-2.

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. PURPOSE AND MUNICIPAL VALUE

The municipal purpose for the annexation is to provide new and attractive territory adjacent to the existing town limits for residential and commercial development. The depth of the annexation (minimum 100 feet) is a sufficient size to site both new homes and businesses adjacent to State Highway 3 without the need for or cost of additional paved roadways. The annexed territory has high visibility and no unsightly structures which might deter new construction. The depth of the annexation allows for the immediate extension of water and sewer service now planned by the municipality. The positive attributes of the annexed territory constitute tangible municipal value and

create a potential for census gain and long term viability for the Town.

SECTION 4. 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 5. RECORDING

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

SECTION 6. 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 21-103 (together with all other related statutes) is hereby repealed.

SECTION 7. 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 8. 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, 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 6th day of May, 2013.

TOWN OF SEILING, OKLAHOMA

Joe Michael Nichols
Mayor

ATTEST:

Shana Geuerborn
Town Clerk



EXHIBIT A

1. A tract of land lying in the Southwest Quarter (SW/4) of Section Thirty-two (32), Township Twenty (20) North, Range Sixteen (16) W.I.M., Dewey and Major Counties, Oklahoma, more particularly described as follows:

Commencing at a point on the South line of Government Lot 7, Section 32 304.88 feet bearing N 89°28'00" W from the South Quarter corner of Section 32; thence 33.00 feet perpendicular to the South line of Government Lot 7, Section 32 bearing N 00°32'00" E; thence 59.09 feet along and following the West highway right-of-way line bearing N 10°02'59" E; thence 249.13 feet along and following the West highway right-of-way line bearing N 39°35'29" W; thence 194.38 feet along and following the West highway right-of-way line bearing N 42°10'37" W; thence 171.83 feet along and following the West highway right-of-way line bearing N 44°42'20" W to the point of beginning;

Thence northwesterly along and following the West highway right-of-way line to the West boundary line of Section 32; thence 100.00 feet South along the West boundary line of Section 32; thence Southeasterly parallel to the West highway right-of-way line to a point directly South of the point of beginning; thence 100.00 feet North to the point of beginning.

[Commonly known as the Gilchrist highway frontage from the north corner of the Thomas Drug property to Veterans Way]

2. A tract of land lying in the East Half (E/2) of Section Thirty-one (31), Township Twenty (20) North, Range Sixteen (16) W.I.M., Major County, Oklahoma, more particularly described as follows:

Beginning at the intersection of the West highway right-of-way line and the East boundary line of Section 31; thence northwesterly along and following the West highway right-of-way line to the West boundary line of the Northeast Quarter of Section 31; thence 100.00 feet South along the West boundary line of the Northeast Quarter of Section 31; thence Southeasterly parallel to the West highway right-of-way line to a point directly South of the point of beginning; thence 100.00 feet North along the East boundary line of Section 31 to the point of beginning.

[Commonly known as the Moldrup and Hanson highway frontage from Veterans Way to the Gore Property]

3. A tract of land lying in the Northwest Quarter (NW/4) of Section Thirty-one (31), Township Twenty (20) North, Range Sixteen (16) W.I.M., Major County, Oklahoma, more particularly described as follows:

Beginning at the intersection of the West highway right-of-way line and the East boundary line of the Northwest Quarter of Section 31; thence northwesterly along and following the West highway right-of-way line to the West boundary line of Section 31; thence South along and following the West boundary line of Section 31 to the West Quarter corner; thence East to the center of Section 31; thence North along the East boundary line of the Northwest Quarter of Section 31 to the point of beginning.

[Commonly referred to as the Gore Property]

