

ORDINANCE NO. 3089

AN ORDINANCE ANNEXING PROPERTY GENERALLY LOCATED IN THE EAST HALF (E/2) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY (20) NORTH, RANGE TWO (2) EAST OF THE INDIAN MERIDIAN; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STILLWATER, OKLAHOMA:

SECTION 1: The Mayor and City Council find:

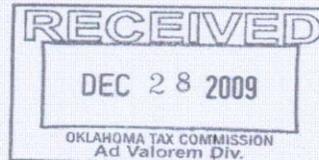
- A. A municipality may extend its corporate boundaries in accordance with the provisions of 11 O.S. §21-103; and
- B. Said statute authorizes the annexation of territory subdivided into lots no larger than five (5) acres in size whenever such subdivision contains more than one (1) residence and is adjacent and contiguous to the corporate boundaries of the annexing municipality; and
- C. Said statute additionally authorizes annexation whenever three sides of the territory to be annexed is adjacent or contiguous to property already within the municipal limits; and
- D. The Hunter's Ridge Addition is a platted subdivision containing lots no larger than five (5) acres in size, more than one (1) residence, and is adjacent and contiguous to the corporate boundaries of the City of Stillwater; and
- E. The legal description of said subdivision is as follows:

Two separate tracts of land in the East half (E/2) of Section Twenty-seven (27), Township Twenty (20) North, Range Two (2) East of the Indian Meridian, Payne County, Oklahoma, more particularly described as follows:

A tract of land in the Northeast quarter (NE/4) of Section Twenty-seven (27), Township Twenty (20) North, Range Two (2) East of the Indian Meridian and Base Line, Payne County, Oklahoma, more particularly described as follows: BEGINNING at the Northwest corner (NW/COR) of said Northeast quarter (NE/4); THENCE; South 00 degrees 35 minutes 00 seconds East, along the West line of said Northeast quarter (NE/4), a distance of 760.00 feet to the POINT OF BEGINNING; THENCE, North 89 degrees 25 minutes 00 seconds East, perpendicular to the West line of said northeast quarter (NE/4), a distance of 590.00 feet; THENCE, South 39 degrees 35 minutes 23 seconds East, a distance of 403.73 feet; THENCE, South 31 degrees 53 minutes 08 seconds East, a distance of 362.42 feet; THENCE, South 25 degrees 58 minutes 11 seconds East, a distance of 385.08 feet; THENCE, South 33 degrees 40 minutes 04 seconds East, a distance of 337.79 feet; THENCE, South 29 degrees, 45 minutes 18 seconds East, a distance of 740.36 feet to a point on the South line of said Northeast quarter (NE/4); THENCE, South 89 degrees 40 minutes 13 seconds West, along the South line of said Northeast quarter (NE/4), a distance of 1742.78 feet to the Southwest corner (SW/COR) of said Northeast quarter (NE/4); THENCE, North 00 degrees 35 minutes 00 seconds West, along the West line of said Northeast quarter (NE/4), a distance of 1893.06 feet to the POINT OF BEGINNING. Said tract of land contains 52.15 acres more or less and is subject to right-of-ways and easements of record. Said tract is shown as Lots 10 through 18 inclusively on the recorded plat of Hunter's Ridge at Book 1107, Page 429;

and,

A tract of land in the Southeast quarter (SE/4) of Section Twenty-seven (27), township Twenty (20) North, Range Two (2) East of the Indian Meridian and Base Line, Payne County, Oklahoma, more



particularly described as follows: BEGINNING at the Northwest corner (NW/COR) of said Southeast quarter (SE/4); THENCE, East, along the North line of said Southeast quarter (SE/4), a distance of 808.50 feet; THENCE, South 00 degrees 16 minutes 27 seconds East, a distance of 2069.03 feet; THENCE, North 89 degrees 38 minutes 46 seconds East, a distance of 280.50 feet; THENCE, South 00 degrees 16 minutes 27 seconds East, a distance of 561.00 feet to a point on the South line of said Southeast quarter (SE/4); THENCE, South 89 degrees 38 minutes 46 seconds West, along the South line of said Southeast quarter (SE/4), a distance of 1089.00 feet to the Southwest corner (SW/COR) of said Southeast quarter (SE/4); THENCE, North 00 degrees 16 minutes 27 seconds West, along the West line of said Southeast quarter (SE/4), a distance of 2530.37 feet to the POINT OF BEGINNING. Said tract of land contains 52.43 acres more or less and is subject to right-of-ways and easements of record. Said tract is shown as Lots 1 through 9 inclusively and Lots 19 through 29 inclusively on the recorded plat of Hunter's Ridge, Book 1107, Page 429 (PARCEL A--HUNTER'S RIDGE)

F. The unplatted parcels are adjacent and contiguous to the existing corporate boundary of the City of Stillwater and the legal description of said parcels is as follows:

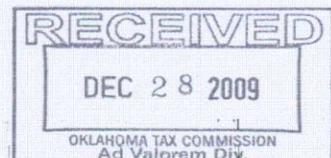
A part of the East Half of the Southeast Quarter of Section Twenty-seven (27) Township Twenty (20) North, Range Two (2) East of the Indian Meridian more particularly described as follows: Beginning at a point forty two (42) rods North of the Southeast corner of said Southeast Quarter thence West on a line parallel with the South Boundary of said Quarter Section, a distance of seventy one (71) rods, thence North on a line parallel with the East Boundary line of said Quarter Section a distance of One Hundred and Eighteen (118) rods to the North Boundary Line of said Southeast Quarter, thence East along said line a distance of Seventy One (71) rods to the Northeast Corner of said Southeast Quarter; thence South along the east boundary line of said Southeast Quarter to the point of beginning, containing fifty three (53) acres, more or less;

and,

A tract of land in the Southeast Quarter (SE/4) of Section Twenty-seven (27), Township Twenty (20) North, Range Two (2) East of the Indian Meridian, more particularly described as follows: Commencing at the Southeast Corner (SE/cor) of said Section Twenty-seven (27); thence South 89 degrees 57 minutes West along the South line of said Section, 52.00 feet; thence North 00 degrees 03 minutes West, a distance of 40 feet to a point on the west right-of-way, of SH 177 to the said point being the point of beginning; thence North 00 degrees 03 minutes West, a distance of 195.00 feet; thence South 89 degrees 57 minutes West, a distance of 525.46 feet; thence South 00 degrees 03 minutes East, a distance of 195.00 feet; thence North 89 degrees 57 minutes East, a distance of 525.73 feet to the point of beginning. Said tract of land contains 2.35 acres more or less;

and,

A tract of land in the Southeast Quarter (SE/4) of Section Twenty-seven (27), Township Twenty (20) North, Range Two (2) East of the Indian Meridian, more particularly described as follows: Commencing at the Southeast Corner (SE/cor) of said Section Twenty-seven (27); Thence N 00d 03'W along the East line of said Section, 411.00 feet; thence South 89 degrees 57 minutes West, a distance of 52.70 feet to a point on the West right-of-way of Highway 177, said point being the point of beginning; thence South 89 degrees 57 minutes West, a distance of 150.00 feet; thence North 00 degrees 03 minutes West, a distance of 150.00 feet; thence South 89 degrees 57 minutes West, a distance of 375.00 feet; thence South 00 degrees 03 minutes East, a distance of 326.00 feet; thence North 89 degrees 57 minutes East, a distance of 525.46 feet; thence North 00 degrees 03 minutes West, a distance of 176.00 feet to the point of beginning. Said tract of land contains 3.41 acres more or



less; LESS AND EXCEPT the following: Property of PT SE/4 Sec. 27.T20N,R2EIM in Payne Co., OK described as follows: Beginning at a point 235 feet North and 52.4 feet West of the Southeast corner of the Southeast Quarter of Section Twenty-seven, Township Twenty North, Range 2 East of the Indian Meridian in Payne Co. OK THENCE S89°57'W 204 feet, thence N0°03'W 208 feet thence N89°57'E 204 feet, thence South 208 feet to the point of beginning;

and,

PT SE/4 Sec. 27, T20N, R2E IM in Payne Co., OK described as follows: Beginning at a point 235 feet North and 52.4 feet West of the Southeast corner of the Southeast Quarter of Section Twenty-seven, Township Twenty North, Range 2 East of the Indian Meridian in Payne Co. OK THENCE S89°57'W 204 feet, thence N0°03'W 208 feet thence N89°57'E 204 feet, thence South 208 feet to the point of beginning;

and,

A tract of land in the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section Twenty-seven (27), Township Twenty (20) North, Range Two (2) East of the Indian Meridian, Payne County, Oklahoma, more particularly described as follows: Beginning at a point 34 rods North of the Southeast corner (SE/cor) of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of said Section Twenty-seven (27), THENCE West 71 rods; THENCE North 142 feet; THENCE East 71 rods; THENCE South 142 feet to the Point of Beginning, according to the U.S. Government Survey thereof;

and,

A tract of land in the Southeast Quarter (SE/4) of Section Twenty-seven (27), Township Twenty (20) North, Range Two (2) East of the Indian Meridian, Payne County, Oklahoma, more particularly described as follows: Starting at the Southeast corner (SE/cor) of Section Twenty-seven (27), THENCE North along the East line of said Section, 411 feet; THENCE South 89°57' West 52.7 feet to the point of beginning; THENCE South 89°57' West 150 feet; THENCE North 0°03' West 150 feet; THENCE North 89°57' East 150 feet to a point on the right-of-way line; THENCE South 0°03' East along said right-of-way line 150 feet to the point of beginning, said tract of land contains 0.5 acres, more or less, and subject to recorded easements and rights-of-way thereof (PARCEL B--WHITTENBERG PARK; ADJOINING COMMERCIAL PROPERTIES)

G. The south, east and west boundaries of Hunter's Ridge Addition and the south, east and west boundaries of the unplatted parcels are adjacent and contiguous to the existing corporate boundary of the City of Stillwater; and

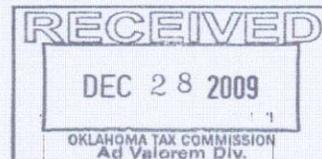
H. A portion of Richmond Road lies between "Parcels A and B" and the current corporate boundaries of the City of Stillwater and is also subject to annexation pursuant to 11 O.S. §21-103(C); and

I. Said subdivided and unplatted territory and roadway have been identified in the Annexation Plan for consideration; and

J. In accordance with 11 O.S. §21-103(B)&(D), the City Council adopted Resolution CC-2009-24, scheduling a public hearing to consider this extension of its corporate boundaries and directing the City Manager to provide notice as required by 11 O.S. §21-103(B)&(D).

K. The City Manager, in accordance with this resolution provided written notice of said public hearing to affected property owners and entities by mail and through publication in the *Stillwater NewsPress*.

L. The City Council convened a public hearing on the annexation of said subdivided territory and roadway on December 17, 2009, said date being more than fourteen (14) and less than thirty (30) days following the publication and mailing of the notice directed in Resolution CC-2009-24, in accordance with 11 O.S. §21-103(D).



M. Owners of the commercial properties located within the area identified herein as "Parcel B" have financially participated in the development of the sanitary sewer main extension that serves said parcels.

SECTION 2: The corporate limits of the City of Stillwater, Oklahoma, a municipal Corporation, be and the same are hereby extended by adding to and including the following described property situated in Payne County, Oklahoma:

Two separate tracts of land in the East half (E/2) of Section Twenty-seven (27), Township Twenty (20) North, Range Two (2) East of the Indian Meridian, Payne County, Oklahoma, more particularly described as follows:

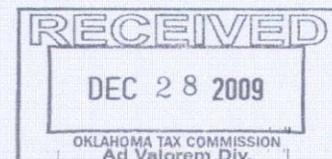
A tract of land in the Northeast quarter (NE/4) of Section Twenty-seven (27), Township Twenty (20) North, Range Two (2) East of the Indian Meridian and Base Line, Payne County, Oklahoma, more particularly described as follows: BEGINNING at the Northwest corner (NW/COR) of said Northeast quarter (NE/4); THENCE; South 00 degrees 35 minutes 00 seconds East, along the West line of said Northeast quarter (NE/4), a distance of 760.00 feet to the POINT OF BEGINNING; THENCE, North 89 degrees 25 minutes 00 seconds East, perpendicular to the West line of said northeast quarter (NE/4), a distance of 590.00 feet; THENCE, South 39 degrees 35 minutes 23 seconds East, a distance of 403.73 feet; THENCE, South 31 degrees 53 minutes 08 seconds East, a distance of 362.42 feet; THENCE, South 25 degrees 58 minutes 11 seconds East, a distance of 385.08 feet; THENCE, South 33 degrees 40 minutes 04 seconds East, a distance of 337.79 feet; THENCE, South 29 degrees, 45 minutes 18 seconds East, a distance of 740.36 feet to a point on the South line of said Northeast quarter (NE/4); THENCE, South 89 degrees 40 minutes 13 seconds West, along the South line of said Northeast quarter (NE/4), a distance of 1742.78 feet to the Southwest corner (SW/COR) of said Northeast quarter (NE/4); THENCE, North 00 degrees 35 minutes 00 seconds West, along the West line of said Northeast quarter (NE/4), a distance of 1893.06 feet to the POINT OF BEGINNING. Said tract of land contains 52.15 acres more or less and is subject to right-of-ways and easements of record. Said tract is shown as Lots 10 through 18 inclusively on the recorded plat of Hunter's Ridge at Book 1107, Page 429;

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AND,

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two (42) rods North of the Southeast corner of said Southeast Quarter thence West on a line parallel with the South Boundary of said Quarter Section, a distance of seventy one (71) rods, thence North on a line parallel with the East Boundary line of said Quarter Section a distance of One Hundred and Eighteen (118) rods to the North Boundary Line of said Southeast Quarter, thence East along said line a distance of Seventy One (71) rods to the Northeast Corner of said Southeast Quarter; thence South along the east boundary line of said Southeast Quarter to the point of beginning, containing fifty three (53) acres, more or less;

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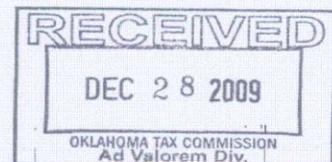
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A map of said annexed territory is attached hereto and incorporated herein as Exhibit "A."

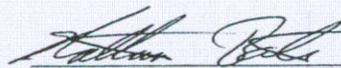
SECTION 3: The City Manager is hereby authorized, directed, and ordered to commence implementation of the plan for the extension of municipal services into the annexed territory set forth in Exhibit "B," as attached hereto and incorporated herein, on the effective date of this ordinance. Said plan shall be completed within one hundred twenty (120) months of the effective date of this ordinance, as provided by 11 O.S. §21-103(D).

SECTION 4: The City Clerk is hereby authorized, directed, and ordered to cause there to be filed and recorded a duly certified copy of this Ordinance No. 3087 together with Exhibits "A" and "B" attached hereto and incorporated herein, in the office of the County Clerk of Payne County, State of Oklahoma, and with the Oklahoma Tax Commission, as provided by law.

SECTION 5: The City Manager is hereby authorized to waive any sewer connection fees or charges required to establish such service to the commercial properties located within the area identified in this ordinance as "Parcel B."

SECTION 6: Emergency. It being immediately necessary for the preservation of the public health, peace and safety that an emergency is declared to exist, by reason whereof this ordinance shall become effective from and after the date of publication, December 26, 2009.

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF DECEMBER, 2009.

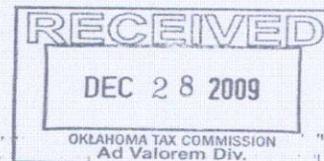

NATHAN BATES, MAYOR

ATTEST
(seal)

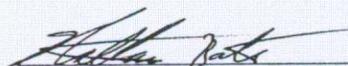

MARCY ALEXANDER, CITY CLERK

I, THE UNDERSIGNED CITY CLERK, CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT NOW ON FILE IN THIS OFFICE.

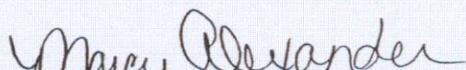
witness my hand and seal this 23rd day of December 2009
CITY OF STILLWATER, OKLAHOMA
BY Marcy Alexander
CITY CLERK / DEPUTY CLERK



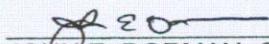
THE EMERGENCY CLAUSE IS HEREBY PASSED, APPROVED AND ADOPTED THIS
21ST DAY OF DECEMBER, 2009.


NATHAN BATES, MAYOR

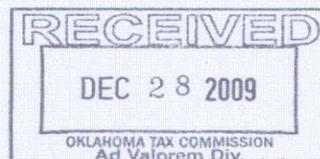
(SEAL)
ATTEST:


MARCY ALEXANDER, CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS 21ST DAY OF DECEMBER, 2009.


JOHN E. DORMAN, CITY ATTORNEY

First Reading: 12-17-09
Second Reading: 12-21-09



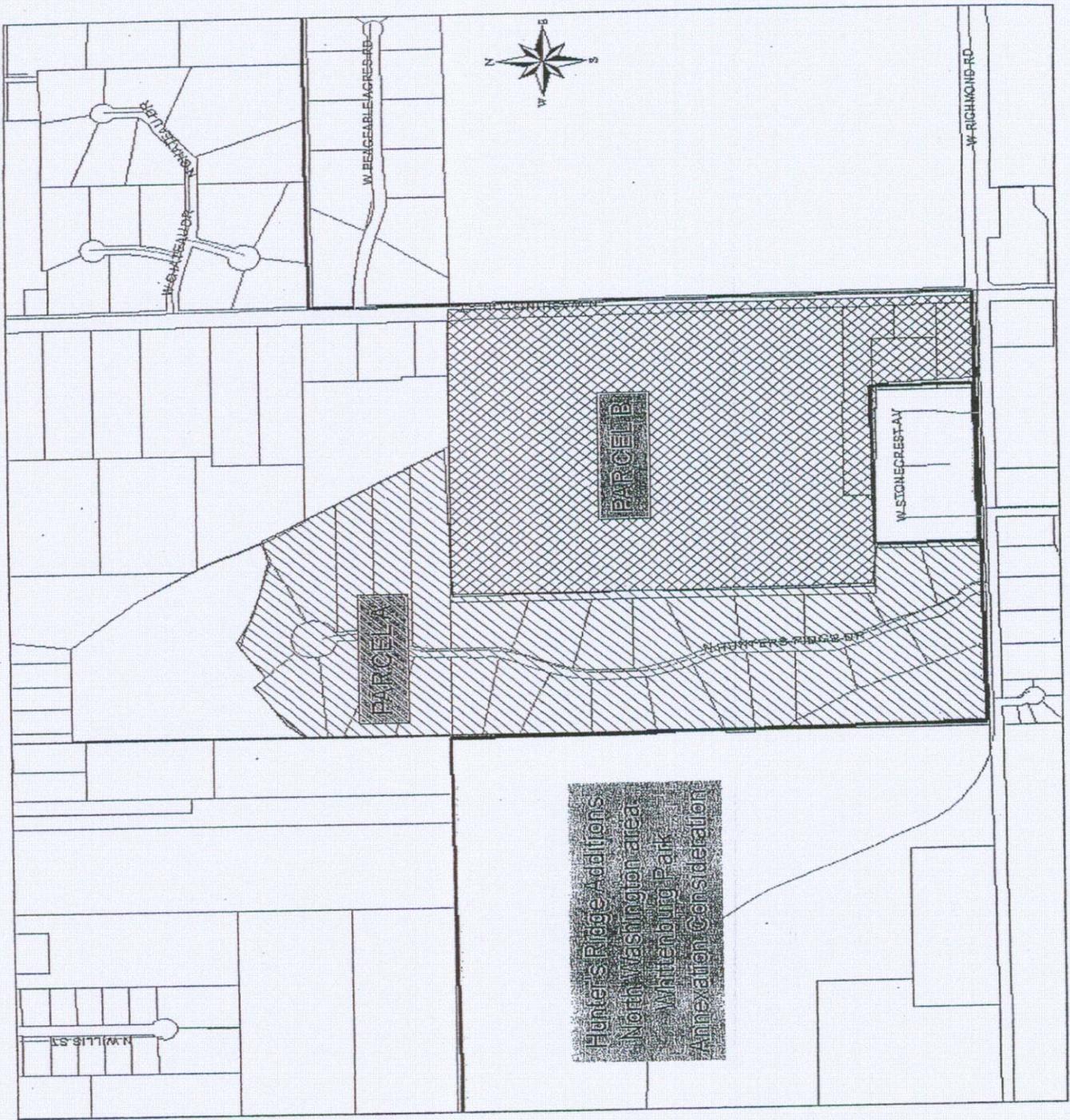


EXHIBIT "A"

RECEIVED
 DEC 28 2009
 OKLAHOMA TAX COMMISSION
 Ad Valorem Div.

