

Southpointe

ORDINANCE NO. 2004- 8

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUTTLE, OKLAHOMA, ANNEXING CERTAIN REAL ESTATE, ESTABLISHING A ZONING CLASSIFICATION APPLICABLE TO SAID ANNEXED REAL ESTATE, PROVIDING FOR A PLAN FOR EXTENSION OF MUNICIPAL SERVICES AND DECLARING AN EMERGENCY

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

SECTION 1. That the property described as follows, to-wit:

A Tract of Land in the Southeast Quarter (SE/4) of Section Three (3), Township Nine (9) North, Range Six (6) West, I.M., Grady County, Oklahoma, described as follows: Beginning at the Northeast Corner (NE/C) of the Southeast Quarter (SE/4) of said Section Three (3), thence West a distance of 1579 feet; thence South a distance of 495 feet, thence East a distance of 1579 feet, thence North a distance of 495 feet returning to the point of beginning. (17.94318 acres more or less) be and the same is hereby annexed into the corporate limits of the City of Tuttle pursuant to 11 O.S. Section 21-101 et seq.

That the total number of acres described above is 17.94318, more or less and that of said total acreage, the written consent of SouthPointe Land Co., L.L.C., the owner of 100% of said annexed land has been obtained by the City of Tuttle and said Consent to Annexation is on file in the office of the City Clerk of the City of Tuttle. Therefore, all of the owners of the annexed territory have consented to said annexation, exceeding the amount required by law.

That the above described parcel of land is adjacent and contiguous to land already within the municipal limits of the City of Tuttle, Oklahoma.

SECTION 2. That municipal services and utilities shall be made available to the property described in Section 1 of this ordinance as follows, to-wit:

Effective immediately upon the effective date of the annexation of the property described above, the annexed property will receive municipal police protection at no additional cost; municipal fire protection at no additional cost; the availability of municipal water service and/or municipal gas service if said service is economically feasible; and Solid Waste Collection. It is not the intent of the City of Tuttle to interfere with the jurisdiction of the Grady County Commissioners with regard to road maintenance in the annexed area. It is expressly stated that the City of Tuttle does not hereby accept the responsibility of roadway maintenance within any of the annexed territory. Individuals whose residences are located within the annexed area will be residents of the City of Tuttle and if registered to vote at such address for at least six (6) months prior to the effective date of this annexation ordinance, will be electors eligible to serve on the Tuttle City Council and all municipal boards and commissions.

SECTION 3. That the annexed property shall have the zoning classification of upon R-1 becoming a part of the City of Tuttle. Residents of the annexed area will be grandfathered as to permitted uses of current commercial operations and all farming activities.

SECTION 4. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance, or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any Court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof.

SECTION 5. It being immediately necessary for the preservation of the public health, peace, and safety of the citizens of the City of Tuttle, Oklahoma, that an emergency be declared.

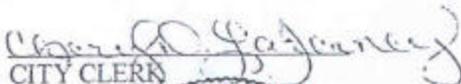
Wherefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage, approval and publication.

ADOPTED and approved this 10th day of May, 2004.



MAYOR

ATTEST:


CITY CLERK
(SEAL)

