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Annexation Under Ordinance 2

003254

BOOK 1273 PAGE 0803

003702

REFILED

ORDINANCE NO. 2001-01

Dawn Dietz

CLERK OF DISTRICT COURT

MAR -5 PM 3:32

STATE OF OKLAHOMA
COUNTY OF DEWELP

AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED TERRITORY ENCLOSED BY BOUNDARY OF ANOTHER MUNICIPALITY INTO THE TOWN OF VERDIGRIS, OKLAHOMA, AND DECLARING AN EMERGENCY.

BOOK 1275 PAGE 019

REFILED

INTRODUCTION

The Town of Verdigris received a Petition to Annex Land to the Town of Verdigris, Oklahoma, a portion of said land being enclosed by the boundary of another municipality. As required by law, on or about the 11th day of January, 2001, the Town of Verdigris (the "Town") notified the City of Claremore that a Petition had been filed and that a public hearing would be held on the 12th day of February, 2001, concerning said Petition. The registered voters and land owners of the territory proposed for annexation published a "Public Notice" of the proposed annexation twice in the Claremore Daily Progress pursuant to Oklahoma law, said notice providing the time, date and place of the public hearing and stating that, "all persons interested in said matter may be present and heard." All of the aforementioned proofs are entered of record in the files of the Verdigris Town Clerk.

FACTUAL AND LEGAL RECITATION

WHEREAS, a municipal governing body by ordinance may add to the municipality territory adjacent or contiguous to its corporate limits and increase or diminish the corporate limits as the governing body deems desirable for the benefit of the municipality;

WHEREAS, certain petitioners representing at least three-fourths of the registered voters and representing the owners of at least three-fourths (in value) of the property in the territory proposed for annexation have proposed to annex territory as described below in this Ordinance;

WHEREAS, the proposed territory is adjacent and contiguous to the Town;

WHEREAS, the Verdigris Town Board has caused all notices to be sent as required by law;

WHEREAS, the registered voters and landowners have caused all notices to be published as required by law;

WHEREAS, on the 12th day of February, 2001, the Verdigris Town Board conducted a public hearing on said annexation proposal.

WHEREAS, the Verdigris Town Board has determined that all the requisites to annexing the territory have been satisfied and met, all as required by law; and

WHEREAS, the Verdigris Town Board has determined it to be in the best interest of the Town to annex the aforementioned territory.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF VERDIGRIS, OKLAHOMA:

Section 1. That, pursuant to the laws made, prescribed and provided by the State of Oklahoma the real property hereinafter described may be lawfully annexed to the Town and, henceforth for all purposes, considered a part of the Town.

Section 2. That the following described real property and premises, situated in Rogers County, State of Oklahoma, be and the same is hereby annexed to the Town of Verdigris, Oklahoma, to-wit:

[SEE EXHIBIT "A"]

Section 3. That there shall be filed in the office of the County Clerk of Rogers County, Oklahoma, a true and certified copy of this Ordinance, together with an accurate map of the territory hereby annexed.

Section 4. If any section, subsection or sentence, clause or phrase of this Ordinance is for any reason held invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance.

Section 5. For the preservation of the public peace, health, welfare and safety, an emergency is hereby declared to exist and by reason whereof this Ordinance shall become effective immediately upon its passage, approval and publication as required by law.

PASSED AND APPROVED by unanimous vote, and the emergency clause passed and approved by a separate and unanimous vote, in special session this 12th day of February, 2001.

David Mays
Mayor

ATTEST:
Susan J. Beck
Town Clerk
(Seal)



REFILED
STATE OF OKLAHOMA
COUNTY OF ROGERS
FILED
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ANDRE A. WILLIS
COUNTY CLERK
BY: *Jane J. Barber*

EXHIBIT "A"

This Exhibit "A" is an attachment to Verdigris Ordinance 2001-01, and is incorporated therein for all intents and purposes.

1. All that part of the SE/4 of the NW/4 lying North and West of the St. Louis and San Francisco Railroad right-of-way, all situate in Section 30, Township 21 North, Range 16 East, and containing 13.5 acres more or less.
2. All that part of Lot 3, lying North and West of the right-of-way for U.S. Highway 66, and for the St. Louis and San Francisco Railroad, all situate in Section 30, Township 21 North, Range 16 East, Rogers County, Oklahoma, according to the U.S. Government Survey thereof.
3. All that part of the NE/4 of the NW/4, lying North and West of the rights-of-way for U.S. Highway No. 66, and for the St. Louis and San Francisco Railroad, all situate in Section 30, Township 21 North, Range 16 East, Rogers County, Oklahoma, according to the U.S. Government Survey thereof.
4. Lot One (1) of Section Thirty (30), Township Twenty-one (21) North, Range Sixteen (16) East of the Indian Base and Meridian, Rogers County, Oklahoma, according to the United States Government Survey thereof, and
 Lot Two (2) of Section Thirty (30), Township Twenty-one (21) North, Range Sixteen (16) East of the Indian Base and Meridian, Rogers County, Oklahoma, According to the United States Government Survey thereof.
5. SE1/4 of the NE1/4 and the North 1/2 of the NE1/4 of the SE1/4 in Section 25, Township 21 North, Range 15 East, Rogers County, Oklahoma, according to the United States Government Survey thereof.
6. A TRACT OF LAND IN THE NW/4 NE/4 SECTION 30, TOWNSHIP 21 NORTH, RANGE 16 EAST OF THE I.B. & M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH BOUNDARY LINE OF SAID NW/4 NE/4 AND THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 66, SAID POINT BEING THE POINT OF BEGINNING; THENCE WESTERLY ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 30, TOWNSHIP 21 NORTH, RANGE 16 EAST ACROSS THE U.S. HIGHWAY 66 AND THE SAINT LOUIS AND SAN FRANCISCO RAILROAD RIGHT-OF-WAY TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF THE SAINT LOUIS AND SAN FRANCISCO RAILROAD; THENCE SOUTHWESTERLY ALONG SAID SAINT LOUIS AND SAN FRANCISCO RAILROAD RIGHT-OF-WAY TO A POINT; THENCE DUE EAST TO A POINT ALONG THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 66, SAID POINT BEING A DISTANCE OF 300 FEET SOUTHWESTERLY ALONG THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 66 FROM THE POINT OF BEGINNING; THENCE NORTHEASTERLY 300 FEET TO THE POINT OF BEGINNING.
7. A tract of land in the NW 1/4 of NE 1/4 of Section 30, Township 21 North, Range 16 East of the I.B. & M., according to the U.S. Government Survey thereof, described as: Beginning 1165.4 feet East of the NW corner thereof, thence West on said North

line 587 feet to the East line of U.S. Highway 66, thence South $27^{\circ}03' W$. along said E. line 300 feet to the true point of beginning thence South $27^{\circ}03' W$. along said E. line 428.5 feet, thence South $62^{\circ}57' East$ 494.7 feet thence North $73^{\circ}27' East$ 525.66 feet more or less to intersection with East line of tract described in Book 316 at Page 60 recorded in the Office of the County Clerk of Rogers County, Oklahoma, thence Northerly along the East line of said tract to a point due East of the Point of beginning, thence West to the point of beginning, containing 10.02 acres, more or less, in Rogers County, State of Oklahoma.

8. A parcel of land located in the NE/4 of Section 30, T21N, R16E, Rogers County, Oklahoma, more particularly described as follows, to-wit:

BEGINNING at a point which is $N 0^{\circ} 03' 30'' W$ along the west boundary of the NE/4 of said section a distance of 1438.60 feet from the center of the section, and $N 89^{\circ} 16' 39'' E$ a distance of 276.24 feet to a point on the west boundary line of Lot 1, Block 2, of TWIN OAKS subdivision, according to the recorded plat thereof and $N 20^{\circ} 24' 08'' E$ along the west boundary lines of Lots 1, 2, and 3 of Block 2 of said subdivision a distance of 480.27 feet to the point of intersection of the rear boundary lines of Lots 3 and 4, Block 2 of said subdivision said intersection being the POINT OF BEGINNING: thence $N 62^{\circ} 57' 00'' W$ a distance of 222.26 feet; thence $S 27^{\circ} 03' 00'' W$ a distance of 238.00 feet thence $S 62^{\circ} 57' 00'' E$ a distance of 250.00 feet to a point on the West boundary of Lot 2, Block 2, of said subdivision; thence $N 20^{\circ} 24' 08'' E$ along the rear boundary lines of Lots 2 and 3, Block 2 of said subdivision a distance of 239.61 feet to the POINT OF BEGINNING containing 1.29 acres more or less.

9. Beginning at the Southwest corner of Section 31, Township 21 North, Range 16 East, thence North along the West boundary line of Section 31 to the South boundary line of that part taken by the Will Rogers Turnpike Authority said point being called the point of beginning; thence Northeasterly along the Southeasterly boundary line of that Will Rogers Turnpike property a distance of 300 feet; thence Westerly to a point on the West boundary line of that part taken by the Will Rogers Turnpike Authority; thence Southwesterly along the Northwesterly boundary line of said property to a point on the West line of said Section 31; thence South along the West boundary line of said Section 31 to the point of beginning.
10. Beginning at the Northeast corner of Section 36, Township 21 North, Range 16 East, thence West on the North boundary line of said Section 36 to the East boundary line of the Highway 66 right-of-way which is the point of beginning; thence continuing West along the North boundary line of said Section 36 to a point which is the West boundary line of the St. Louis and San Francisco Railroad right-of-way; thence Southwesterly along the West boundary of said St. Louis and San Francisco Railroad right-of-way a distance of 300 feet; thence East to the East boundary line of Highway 66 right-of-way; thence Northeasterly along the East line of the Highway 66 right of way to the point of beginning.
11. All that part of the NE 1/4 of the SE 1/4 of the SE 1/4 lying North and West of the St. L. & S.F. Railroad right-of-way in Section 25, Township 21 North, Range 15 East

of the I.B.&M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof.

12. The following described tract of real estate situated in Rogers County, State of Oklahoma, to-wit:

All that part of the SE 1/4 of SE 1/4 of SE 1/4 and the SW 1/4 of the SE 1/4 of SE 1/4 lying North and West of the St. Louis and San Francisco Railroad right-of-way in Section 25, Township 21 North, Range 15 East of the I.B.&M., Rogers County, Oklahoma, according to the U.S. Government survey thereof.

13. All that part of the Northeast quarter of the Northeast quarter, and the East Half of the Northwest quarter of the Northeast quarter, of Section 36, Township 21 North, Range 15 East of the I.B.&M., north and west of the St. L. & S.F. Railroad right-of-way, less and except the North 208.71 feet of the East 208.71 feet of the West 417.42 feet of said tract.

14. A tract of land in the N 1/2 of N 1/2 of NW 1/4 of NE 1/4 of NE 1/4 of Section 30, Township 21 North, Range 16 East of the I.B.&M., described more particularly as follows, to-wit: Begin at a point on the North line of said 10 acre tract, a distance of 1165.4 feet East of the Northwest corner thereof, thence West on said North 410 feet to a point, thence South 266.7 feet to a point, thence East to the intersection with the East line of a tract described in Book 316, Page 60, recorded in the Office of the County Clerk of Rogers County, Oklahoma, thence in a Northerly direction along the East line of the above described tract to the point of beginning.

15. A tract of land in the NW 1/4 of the NE 1/4 of Section 30, Township 21 North, Range 16 East of the I.B.&M., more particularly described as follows: Beginning at the point of intersection of the North Line of said NW 1/4 of the NE 1/4 and the Easterly right-of-way of U.S. Highway 66, thence East along the North line of said NW 1/4 of the NE 1/4 a distance of 177.0 feet, thence South a distance of 266.7 feet, thence West a distance of 314.36 feet to a point on the Easterly right-of-way of U.S. Highway 66, thence Northeasterly along said right-of-way a distance of 300 feet to the point of beginning, said tract containing 1.5 acres, more or less.

16. The W/2 of the NE/4 and the W/2 of the SE/4 and the S/2 of the NE/4 of the SE/4 and the NW/4 of the SE/4 of the SE/4 and the E/2 of the E/2 of the SW/4 and the W/2 of the SE/4 of the SW/4 and the NE/4 of the SW/4 of the SW/4 of Section 25, Township 21 North, Range 15 East of the I.B.&M., Rogers County, Oklahoma, containing 260 acres, more or less.

18. The N/2 of the SW/4 of NW/4 of Section 25, Township 21 North, Range 15 East, less and except the West 337 feet of the South 129.26 feet thereof, Rogers County, Oklahoma, according to the U.S. Government Survey thereof.

21. The NW1/4 of NE1/4 of SW1/4 of Section 25, Township 21 North, Range 15 East of the I.B.&M., Rogers County, Oklahoma

20. The N1/2 of NW1/4 of SW1/4 of Section 25, Township 21 North, Range 15 East of the I.B.&M., Rogers County, Oklahoma.
30. The West 528 feet of the SW1/4 of the SW1/4 of the SW1/4, less the North 208.7 feet of the West 208.7 feet thereof, of Section 25, Township 21 North, Range 15 East of the I.B.&M., Rogers County, State of Oklahoma according to the U.S. Government Survey thereof.
27. The NW/4 SW/4 SW/4 of Section 25, Township 21 North, Range 15 East of I.B.&M., Rogers County, Oklahoma according to the U.S. Government Survey thereof.
31. The East 132 feet of the South 330 feet of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter (SE1/4 SW1/4 SW1/4) of Section 25, Township 21 North, Range 15 East of the I.B.&M., Rogers County, Oklahoma according to the U.S. Government Survey thereof.
32. The SE1/4 of the SW1/4 and all that part of Lots 3 and 4 lying South and East of Oklahoma Turnpike Authority in Section 31, Township 21 North, Range 16 East of the I.B.&M., according to the U.S. Government Survey thereof, SINCE February 29, 1960 at 7:55 o'clock A.M., said description containing 100 acres, more or less.
33. A tract of land that is part of "Greenleaf Estates", a subdivision in Rogers County, Oklahoma, and part of the South Half of the South Half (S/2 S/2) and part of Government Lot Three (3), all in section Thirty (30), Township Twenty-One (21) North, Range Sixteen (16) East of the Indian Base and Meridian, Rogers County, State of Oklahoma, said tract of land being described as follows:

Beginning at a point that is the Northwest corner of the Southeast Quarter of the Southwest Quarter of said Section Thirty, thence North $89^{\circ} 46' 43''$ East along the north line of said S/2 S/2 of Section Thirty for 2855.41 feet to a point on the Westerly right-of-way line of the Will Rogers Turnpike, said point being 1111.50 feet westerly of the Easterly line of said Section Thirty; thence South $39^{\circ} 51' 02''$ West along said Westerly right-of-way line for 1545.46 feet, thence North $50^{\circ} 08' 59''$ West along said Westerly right-of-way line for 100.00 feet, thence South $39^{\circ} 51' 02''$ West along said Westerly right-of-way line for 265.16 feet to a point on the Southerly line of said Section Thirty, said point being 2948.49 feet easterly of the Southwest corner thereof; thence South $89^{\circ} 47' 24''$ West along said Southerly line for 2445.99 feet to a point being 502.50 feet East of the Southwest corner of said Section Thirty; thence North $21^{\circ} 04' 39''$ East for 1021.42 feet; thence North $48^{\circ} 51' 00''$ West for 401.23 feet to a point on the Southeasterly right-of-way line of State Highway 66; thence North $41^{\circ} 09' 00''$ East along said right-of-way line for 60.00 feet, thence S. $48^{\circ} 51' 00''$ E. for 340.00 feet to the Southeast corner of Lot 1, Block 1 of said Greenleaf Estates; thence North $41^{\circ} 09' 00''$ East along the Southeasterly line of said Block 1 for 522.09 feet to the Northeast corner of Lot Seven in Block 1; thence South $48^{\circ} 51' 00''$ East along the Northeasterly line of said Greenleaf Estates for 163.78 feet to the point of beginning of said tract of land.

Said tract of land contains 3,802,786 square feet or 87.300 acres.

34. North Half of Section 31, Township 21 North, Range 16 East, less that part heretofore taken and appropriated by the Will Rogers Turnpike Authority, and all that part of Lots 3 and 4 of Section 31, Township 21 North, Range 16 East, lying North and West of the Will Rogers Turnpike, and that part of the West Half of the Southwest Quarter of the Southwest Quarter of Section 30, Township 21 North, Range 16 East, described as follows: Beginning at the Southwest corner of Section 30, Township 21 North, Range 16 East, thence due North 773 feet to a point on the easterly line of U.S. Highway No. 66 prior to 1954, thence in a Northeasterly direction along the then easterly line of U.S. Highway No. 66 for a distance of 38 feet to a point, thence in a Southeasterly direction for a distance of 940.3 feet to a point in the center of the section Line, which point is 502.5 feet due East of the Southwest corner of Section 30, Township 21 North, Range 16 East, thence due West 502.50 feet to the point of beginning, less that portion thereof more particularly described as follows: Beginning at a point where the East right-of-way line of U.S. Highway No. 66 prior to 1954 intersected the West line of said Southwest Quarter of the Southwest Quarter a distance of 777.8 feet North of the Southwest corner of said Southwest Quarter of the Southwest Quarter, thence Northeasterly along the then right-of-way line a distance of 38 feet, thence South $30^{\circ} 32'$ East a distance of 157.9 feet, thence South $41^{\circ} 13'$ West a distance of 161.3 feet to a point on the West line of said Southwest Quarter of the Southwest Quarter, thence North along the West line a distance of 228.8 feet to a point of beginning, and all that part of the Southeast Quarter of the Southeast Quarter of Section 25, Township 21 North, Range 15 East, lying South and East of U.S. Highway 66, all in Rogers County, Oklahoma, and containing 319.61 acres, more or less.
35. The NW1/4 and the W1/2 of the NW1/4 of the NE1/4 and the E1/2 of the SW1/4 in Section 32, Township 21 North, Range 16 East, Rogers County, Oklahoma, according to the United States Government Survey thereof.

