ORDINANCE NO. 04-0816B

AN ORDINANCE PROVIDING FOR ANNEXATION TO THE TOWN OF VIAN, OKLAHOMA CERTAIN PROPERTIES HEREINAFTER SET OUT:

WHEREAS: The Town Board of Trustees of Vian, Oklahoma, (the "Board"), in accordance with Oklahoma Statutes Title11 Sec. 21-104, desire to annex the hereinafter described real estate which adjoins and is contiguous to the incorporated Town of Vian, Oklahoma, and not currently embraced within the limits thereof, said property being described as follows, to-wit:

> One (1) Acre in Section 22, T12N, R22E, NE NW NW, beginning at SE corner N 208.71', W 208.71', S 208.71', thence E 208.71' to POB, also known as Parcel 126. All of which is located in Sequoyah County, Oklahoma, (the "Property").

After due consideration, at a public hearing of the proposed annexation and following notice of the proposed annexation published in a legal newspaper of general circulation in Sequoyah County, Oklahoma, a copy of the Proof of Publication being attached hereto and labeled as Exhibit "A", giving notice off the intention of this annexation, the Board finds the publication is satisfactory and the Board is desirous of extending it's corporate limits to include the Property; and

WHEREAS: A plan to extend appropriate town services has been presented to the Board and is hereby adopted by this Board, a copy of the Plan being attached hereto as Exhibit "B"

WHEREAS: After due consideration by the Town Board of the Town of Vian, Oklahoma, a unanimous vote was cast in favor of annexation of the Property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES of the Town of Vian, State of Oklahoma, be and the same hereby extended so as to hereinafter include the Property, contiguous to but not presently within said incorporated limits of said Town.

IT IS FURTHER ORDAINED that the above described real estate constitute, from and after the date of this ordinance and the filing of a copy thereof, duly certified, together with an accurate map, with the County Clerk, as provided by law, a part of the incorporated Town of Vian, Oklahoma, and that the inhabitants residing thereon and the owners thereof shall thereafter be subject to all privileges accorded other residents of the Town.

BE IT FURTHER ORDAINED that the Plan, as set forth in Exhibit "B", is hereby adopted by the Board and shall be completed and implemented within the time periods set forth therein.

That this Ordinance shall be in full force and effect from and after its passage, approval and publications required by law.

PASSED AND APPROVED THIS 16 DAY OF August, 2004.

TOWN OF VIAN, OKLAHOMA

By Jim Lewis
Jim Lewis Mayor

ATTEST: Sharon DiSansaro
Town Clerk

EXHIBIT "A"

PROPOSED ANNEXATION

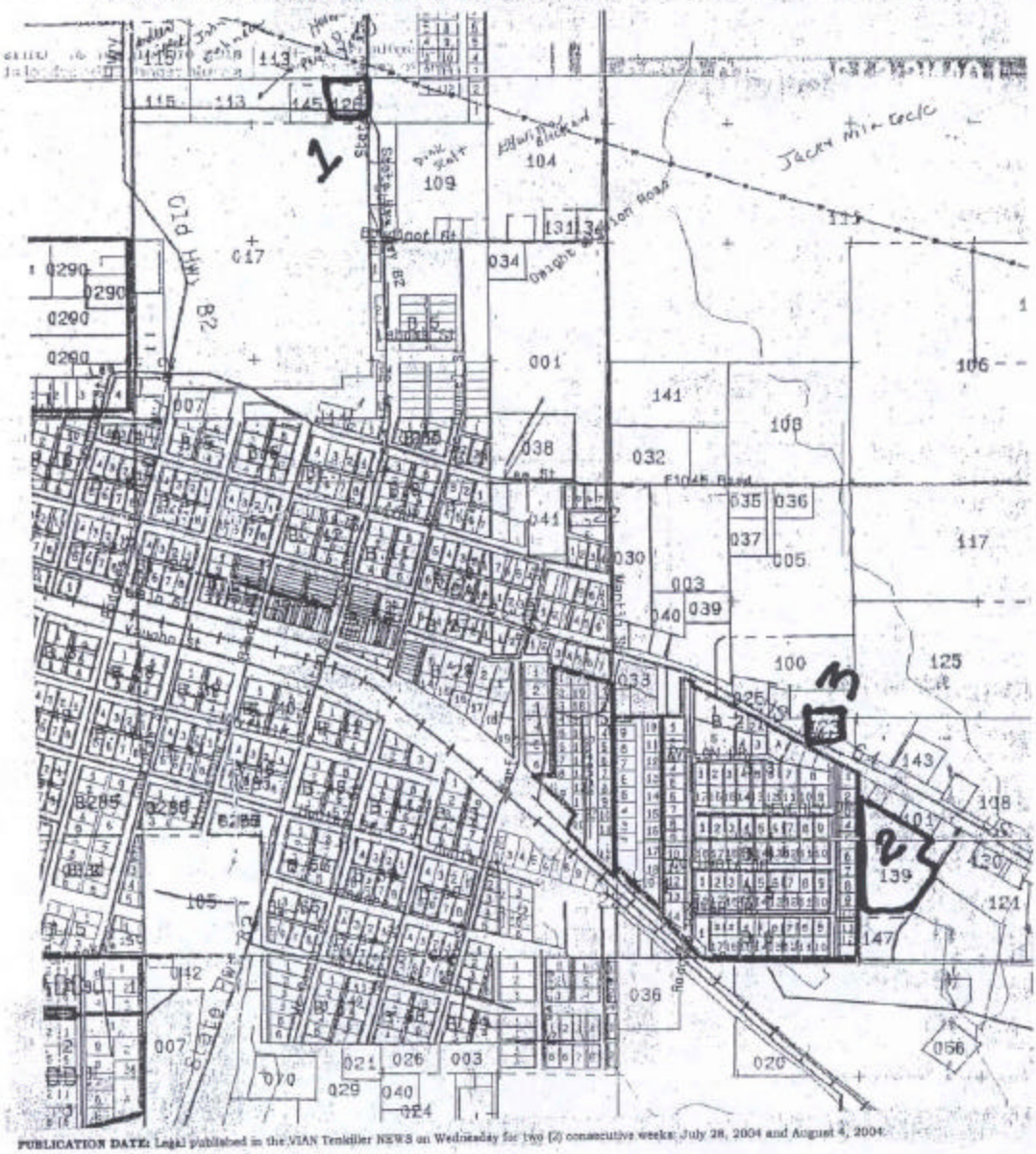
THE VIAN BOARD OF TRUSTEES WILL DISCUSS AND POSSIBLY VOTE ON THE ANNEXATION OF THREE PROPERTIES INTO THE TOWN LIMITS AT THE AUGUST 16, 2004 MEETING TO BE HELD AT THE COUNCIL ROOM IN THE VIAN POLICE DEPARTMENT AT 6:30 PM.

THE FOLLOWING PROPERTIES WILL BE BROUGHT BEFORE THE COUNCIL FOR CONSIDERATION OF ANNEXATION.

1. 1 ACRE IN T12N, R22E, SECTION 22 NE NW NW BEGINNING AT THE SE CORNER, THENCE N 208.71', W 208.71', E 208.71' TO POB. ALSO KNOWN AS PARCEL 126. ALL OF WHICH IS LOCATED IN SEQUOYAH COUNTY OKLAHOMA.

2. 4.16 ACRES IN T12N, R22E, SECTION 22 A PT. OF THE W2 SE SE COM. AT A POINT ON THE WEST LINE OF W2 SE SE NE/C OF LT 1 BLK 7 JR #2, S 144.40' TO POB, THENCE 45.60' N OF SE/C OF LOT 2 BLK 7 OF JR #2 S. 605.60' TO A POINT 20' S. 88-48-46E 269', THENCE N. 31-48-17E 292. 11', THENCE N. 60-44-58-W 256.30' TO POB. ALSO KNOWN AS PARCEL 139. ALL OF WHICH IS LOCATED IN SEQUOYAH COUNTY, OKLAHOMA.

3. IN T12N R22E SECTION 22 A TRACT IN NE SW SE BEG AT A PT ON N LINE 64'W OF NE COR FOR BEG W 185' S TO N LINE OF HWY 64-SE 174' N 114' TO BEG A TRACT IN SE NW SE BEG AT A PT ON S LINE 64' W OF SE COR FOR BEG 24' W 185' S 24' E 185' S 24' E 185' TO BEG LESS PT TO HOLINESS CHURCH. ALSO KNOWN AS PARCEL 123. ALL OF WHICH IS LOCATED IN SEQUOYAH COUNTY, OKLAHOMA.



PUBLICATION DATE: Legal published in the VIAN Tenkiller NEWS on Wednesday for two (2) consecutive weeks: July 28, 2004 and August 4, 2004.

EXHIBIT "B"

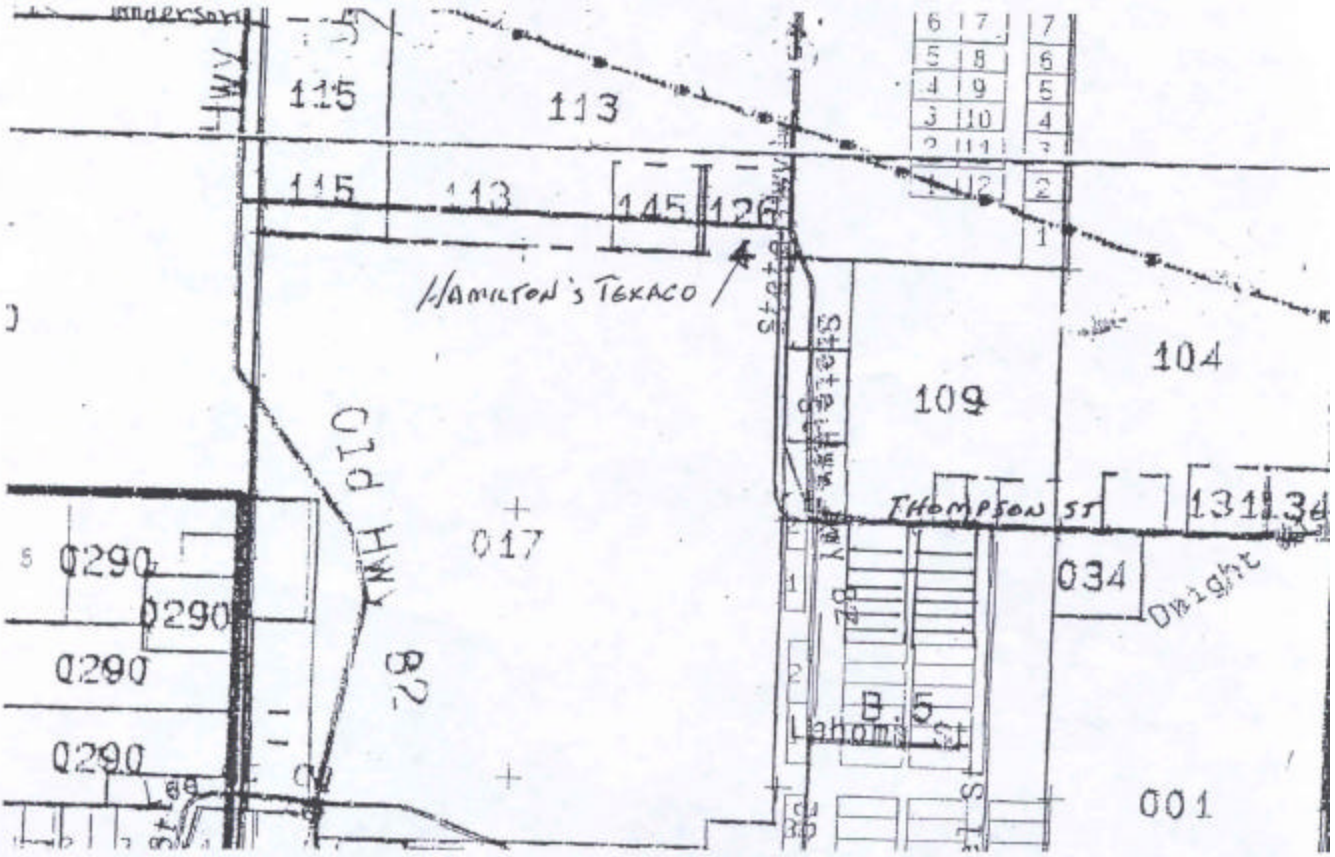
SERVICE AGREEMENT

FOR ANNEXATION

WATER: Water is currently in use on this property.

TRASH: Trash pickup is currently being made at this property.

POLICE: Police service will now be provided in this area.

FIRE: Fire protection will now be provided in this area

SEWER: Sewer service is proposed for this area by extending the sanitary system from Thompson Street and Hwy 82 north approximately 1,100'to the property at a cost of about $90,000 to be completed within the allowed time provide by law.