ORDINANCE NO.2002- 623

AN ORDINANCE AMENDING THE CORPORATE LIMITS OF THE CITY OF WAYNOKA, OKLAHOMA, BY THE ADDITION OF CERTAIN TERRITORY WHICH IS ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF WAYNOKA, OKLAHOMA; ACKNOWLEDGING RECEIPT OF AND ATTACHING AS EXHIBIT "A" A WRITTEN CONSENT FOR SUCH ANNEXATION FROM THE OWNERS OF AT LEAST A MAJORITY OF THE ACRES TO BE ANNEXED TO THE CITY; ATTACHING A MAP OF THE ANNEXED TERRITORY AS EXHIBIT "B"; PROVIDING FOR THE AUTHORITY FOR SUCH ANNEXATION; DESCRIBING BY METES AND BOUNDS THE PROPERTY ANNEXED; DIRECTING THE MAYOR TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH WRITTEN CONSENT (EXHIBIT "A") AND MAP (EXHIBIT "B") WITH THE COUNTY CLERK OF WOODS COUNTY AND TO AMEND THE CITY OF WAYNOKA'S ZONING MAP TO SHOW THAT SUCH ANNEXED PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE CITY OF WAYNOKA; PROVIDING FOR PROVIDING FOR REPEALER; SAVINGS; SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF WAYNOKA, OKLAHOMA:

Section I: The Mayor and Board of Aldermen of the City of Waynoka, Oklahoma, hereby amend the corporate limits of the City of Waynoka, Oklahoma, by the addition of certain territory described in Exhibit "A" and "B", and described by metes and bounds description as follows:

Tract 1

A strip of land containing approximately two (2) acres in the Southeast Quarter (SE/4), Section One (1), Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, more particularly described as follows:

Beginning at the Southwest Corner of said SE 1/4 of Section 1, Township 24 North, Range 16 W.I.M., thence East 33 feet; thence North 2640 feet; thence West 33 feet; thence South 2640 feet to the point of beginning, and

Tract 2

A tract of land beginning at a point 511 feet north of the quarter section line between Sections One (1) and Twelve (12) of Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, thence North 23 feet; thence West 822 feet; thence South 534 feet; thence East 304 feet; thence North 511 feet; thence East 518 feet to the point of beginning, containing 4 acres, more or less; and

A tract of land located in the Southeast Quarter (SE/4) of the Southwest Quarter (SW/4) of Section One (1), in Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, more particularly described as follows:

A tract beginning at the Quarter section corner between Section 1 and 12 of Township Twenty-four (24) North, Range Sixteen (16) W.I.M., thence North 511 feet; thence West 518 feet; thence South 511 feet; thence East 518 feet to the point of beginning, containing 6.07 acres, more or less, and

Tract 3

The South 3.00 feet of the SW/4 of Section 1, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, said tract containing 0.1818 acre, more or less, and

Tract 4

All of Lots 1, 2, 3, 4 and 5 in Block 6 of the Johnstons Addition to the City of Waynoka, containing 5 acres, more or less, and

Tract 5

All of Blocks 4 & 5 of the Johnstons Addition to the City of Waynoka, Containing 9.5 acres, more or less, and

Tract 6

The South 3.00 feet of the North 33.00 feet of the NE/4 of Section 12, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, said tract containing 0.18 acre, more or less, and

Tract 7

The East Eighty (80) acres of Section Twelve (12), Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, said tract containing eighty (80) acres, more or less, and

Tract 8

The South 3.0 feet of the SW/4SE/4 and the SW/4 of Section 12, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, said tract containing 0.273 acre, more or less, and

The South 3.00 feet of Section 11, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, said tract containing 0.364 acre, more or less, and

Tract 9

A strip of land 80.00 feet wide with centerline being the centerline of U.S. Highway 281 through Section 11, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, and to the North line of the South ½ of the NW 1/4, Section 14, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, containing 12.12 acres, more or less, and

Tract 10

A tract of land located in the North Half of the Northeast Quarter (N/2 NE/4) of Section Eleven (11), in Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, more particularly described as follows:

Beginning at a point Eighteen (18) Rods South and Two Hundred feet (200') East of the Northwest Corner of the Northeast Quarter (NE/4) of Section 11, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, thence South One Hundred Eighty-five Feet(185'); thence East One Hundred Twenty Feet (120'); thence North One Hundred Eighty-five Feet (185'); thence West One Hundred Twenty Feet (120') to the point of beginning, containing .5096 acres, more or less, and

A tract of land located in the North Half of the Northeast Quarter (N/2 NE/4) of Section Eleven (11), in Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, more particularly described as follows:

Beginning at a point Eighteen (18) Rods South of the Northwest Corner of the Northeast Quarter (NE/4) of Section 11, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, thence South One Hundred Eighty-five Feet(185'); thence East Two Hundred Feet (200'); thence North One Hundred Eighty-five Feet (185'); thence West Two Hundred Feet (200') to the point of beginning, containing .8494 acres, more or less, and

Tract 11

A tract of land situated in the NW 1/4 of Section Eleven (11), Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, more particularly described as follows:

Beginning at a point on the section line a distance of 728.95 feet East (S 89° 15' 15" E) of the Northwest Corner of said Section 11, thence continuing East (S 89° 15' 15" E) a distance of 597.35 feet, thence Southwest (S 30° 24' 12" W) a distance of 2698.32 feet, thence North (N 00° 57' 46" E) a distance of 1203.08 feet to a point on the easterly right of way line of the A.T. & S.F. Railroad, thence northeasterly along said right of way line on a curve to the left (R=5829.58') a distance of 898.06 feet, thence Northeasterly (N 30° 32' 20" E) a distance of 460.68 feet to the point of beginning, said tract containing 25.5413 acres, more or less, and

A tract of land situated in the NE 1/4 of Section Ten (10), Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, more particularly described as follows:

Beginning at a point on the section line a distance of 1141.78 feet South (S 00° 57' 46" W) of the Northeast Corner of said Section 10, (said point of beginning being on the easterly right of way line of the A.T. & S.F. Railroad), thence continuing South (S 00° 57' 46" W) a distance of 1467.93 feet to the Southeast Corner of the NE 1/4 of said Section 10, thence West (N 89° 12' 15" W) on the one quarter section line a distance of 1622.17 feet to a point on the easterly right of way line of the A.T. & S.F. Railroad, thence Northeasterly (N 53° 04' 40" E) along said right of way line a distance of 802.73 feet, thence Northeasterly on a curve to the left (R=5829.58') a distance of 1395.17 feet to the point of beginning, said tract containing 24.9131 acres, more or less, and

Tract 12

The East 3.00 feet of the SE/4 of Section 10, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, said tract containing 0.18 acre, more or less, and

Tract 13

The East 3.00 feet of the NE/4 NE/4 of Section 15, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, said tract containing 0.09 acre, more or less, and

Tract 14

A tract of land situated in the E/2 of Section 15, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, more particularly described as follows:

Beginning at the Northeast Corner of the S/2NE/4 of Said Section 15, thence South of the Section line a distance of 2970 feet; thence West and parallel to the North Boundary of said S/2NE/4 a distance of 792 feet; thence North and parallel to the East Section line a distance of 1980 feet; thence West and parallel to the North Boundary of said S/2NE/4 a distance of 990.00 feet; thence North and parallel to the East Section line a distance of 990.00 feet to a point on the North Boundary of said S/2NE/4; thence East along said North Boundary a distance of 1782 feet to the point of beginning, said tract containing 76.5 acres, more or less, and

Tract 15

The North 3.00 feet of the S/2NW/4, the East 3.00 feet of the S/2NW/4 and the East 3.00 feet of the SW/4 of Section 14, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, said tract containing 0.45 acre, more or less, and

Tract 16

The East 3.00 feet of the NW/4 and the N/2SW/4 of Section 23, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, said tract containing 0.27 acre, more or less, and

Tract 17

The North 3.00 feet of the SW/4SE/4 of Section 23, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, said tract containing 0.09 acre, more or less, and

Tract 18

A tract of land situated in the SW/4SE/4 of Section 23, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, more particularly described as follows:

Beginning at a point on the South Boundary of said SW/4SE/4 a distance of 440.03 feet East (S 88° 50' 01" E) of the Southwest Corner of the SW/4SE/4 of said Section 23, thence continuing East (S 88° 50' 01" E) a distance of 366.42 feet to a point 52.40 feet West (N 88° 50' 01" W) of the centerline of present U.S. Highway 281; thence Northeasterly on a curve to the right (R=17,238.73 feet) a distance of 287.06 feet; thence Northeasterly (N 19° 31' 00" E) a distance of 1092.54 feet to a point on the North Boundary of said SW/4SE/4 (said point being 52.70 feet West (N 88° 53' 19" W) of the centerline of said Highway) thence West (N 88° 53' 19" W) along said North Boundary a distance of 368.87 feet; thence Southwesterly (S 19° 31' 00" W) a distance of 976.07 feet; thence Southwesterly on a curve to the left (R=17,588.73 feet) a distance of 402.44 feet to the point of beginning, said tract containing 11.08 acres, more or less, and

Tract 19

A tract of land situated in the N/2 of Section 26, Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, more particularly described as follows:

Beginning at a point on the South Boundary of said N/2 a distance of 2455.36 feet East (S 88° 57' 30" E) of the Southwest Corner of the N/2 of said Section 26, thence continuing East (S 88° 57' 30" E) a distance of 353.83 feet to a point 50.56 feet West (N 88° 57' 30" W) of the centerline of present U.S. Highway No. 281; thence Northeasterly on a curve to the right (R=17,238.73 feet) a distance

of 2707.42 feet to a point on the North Boundary of said N/2 (said point being 52.40 feet West (N 88° 50' 01" W) along said North Boundary a distance of 366.42 feet; thence Southwesterly on a curve to the left (R=17,588.73 feet) a distance of 2705.27 feet to the point of beginning, said tract containing 21.75 acres, more or less, and

Tract 20

A tract of land situated in the North Half of the Southeast Quarter (N/2 SE/4) of Section Twenty-three (23), Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, more particularly described as follows:

Commencing at the Southeast Corner of the Northwest Quarter of the Southeast Quarter of said Section 23; thence North 88° 53' 19" West along the South line of the North Half of the Southeast Quarter of said Section 23 a distance of 134.84 feet to the Point of Beginning; thence continuing North 88° 53' 19" West along the South line of the North Half of the Southeast Quarter of said Section 23 a distance of 311.69 feet; thence North 01° 06' 41" East a distance of 935.32 feet; thence South 88° 53' 19" East a distance of 622.79 feet to a point on the West right-of-way line of U.S. Highway 281; thence Southwesterly on a curve to the right along the West right-of-way line (radius 2764.79 feet, chord bearing South 19° 14' 14" West a chord distance of 26.98 feet; thence continuing along the West right-of-way line of said U.S. Highway 281 South 19° 31' 00" West a distance of 958.72 feet to the point of beginning, containing ten (10) acres, more or less, and

Tract 21

The North 50.00 Feet of the NE/4 of Section 1,Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, said tract containing 3.03 acres, more or less, and

Tract 22

The South 50.00 Feet of the SW/4 of Section 31,Township Twenty-five (25) North, Range Fifteen (15) W.I.M., Woods County, Oklahoma, said tract containing 3.03 acres, more or less, and

Tract 23

A tract of land situated in the SE/4 of Section 36, Township Twenty-five (25) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, more particularly described as follows:

Beginning at the Southeast Corner of said SE/4, thence North along the East Boundary of the SE/4 a distance of 50.00 feet; thence (S 89° 40'W) a distance of 1794.7 feet; thence (S 88° 32' W) a distance of 848.1 feet to a point on the West Boundary of said SE/4; thence South along the West Boundary a distance of 33.00 feet to the Southwest Corner of said SE/4; thence East along the South Boundary of said SE/4 a distance of 2642.8 feet to the point of beginning, said tract containing 2.86 acres, more or less, and

Tract 24

A tract of land situated in the Northwest Quarter of the NW/4 of Section One (1), Township Twenty-four (24) North, Range Sixteen (16) W.I.M., Woods County, Oklahoma, more particularly described as follows:

Beginning at a point Fifty feet (50') South and One Thousand Forty

feet (1040') East of the Northwest Corner of the Northwest Quarter (NW/c NW/4); thence South 208.7 feet; thence East 417.4 feet; thence North 208.7 feet; thence West 417.4 feet, to a point of beginning, containing 2.0 acres, more or less, and

which territory is adjacent and contiguous to the corporate limits of the City of Waynoka, Oklahoma.

Section II: The Mayor and Board of Aldermen hereby acknowledge the receipt of written consent for such annexation from a majority of the owners of at least a majority of the acres to be annexed to the City, and hereby legislatively determine and find that such consent is lawfully made and given, and hereby attach a copy of such written consent to this ordinance as Exhibit "A", which Exhibit "A" is incorporated herein by reference as if full set out.

Section III. The Mayor and Board of Aldermen legislatively find that the legal authority for this annexation is 11 O.S. 21-101 and 11 O.S. 21-103A.

Section IV: The Mayor and Board of Aldermen hereby direct the Mayor to file a certified copy of this ordinance with Exhibits "A" and "B" with the County Clerk of Woods County, Oklahoma, and to amend the City of Waynoka Zoning Map to show that such annexed property is now within the corporate limits of the City of Waynoka, Oklahoma.

Section V. REPEALER. All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed.

Section VI. SAVINGS CLAUSE. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section VII. 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 Board of Aldermen of the City of Waynoka that this ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part not been included.

Section VIII. EMERGENCY. In order to protect the health, safety and welfare of the general public of the City of Waynoka, Oklahoma, and in order to immediately annex the annexed property into the corporate limits of the City of Waynoka, Oklahoma, an emergency is hereby declared; therefore, this ordinance shall become effective from and after its date of publication.

PASSED AND APPROVED by the Mayor and Board of Aldermen on the 25th day of March, 2002.

THE CITY OF WAYNOKA, OKLAHOMA

Sidney Smiley

Sidney Smiley, Mayor

Sharon S. Lewis

City Clerk

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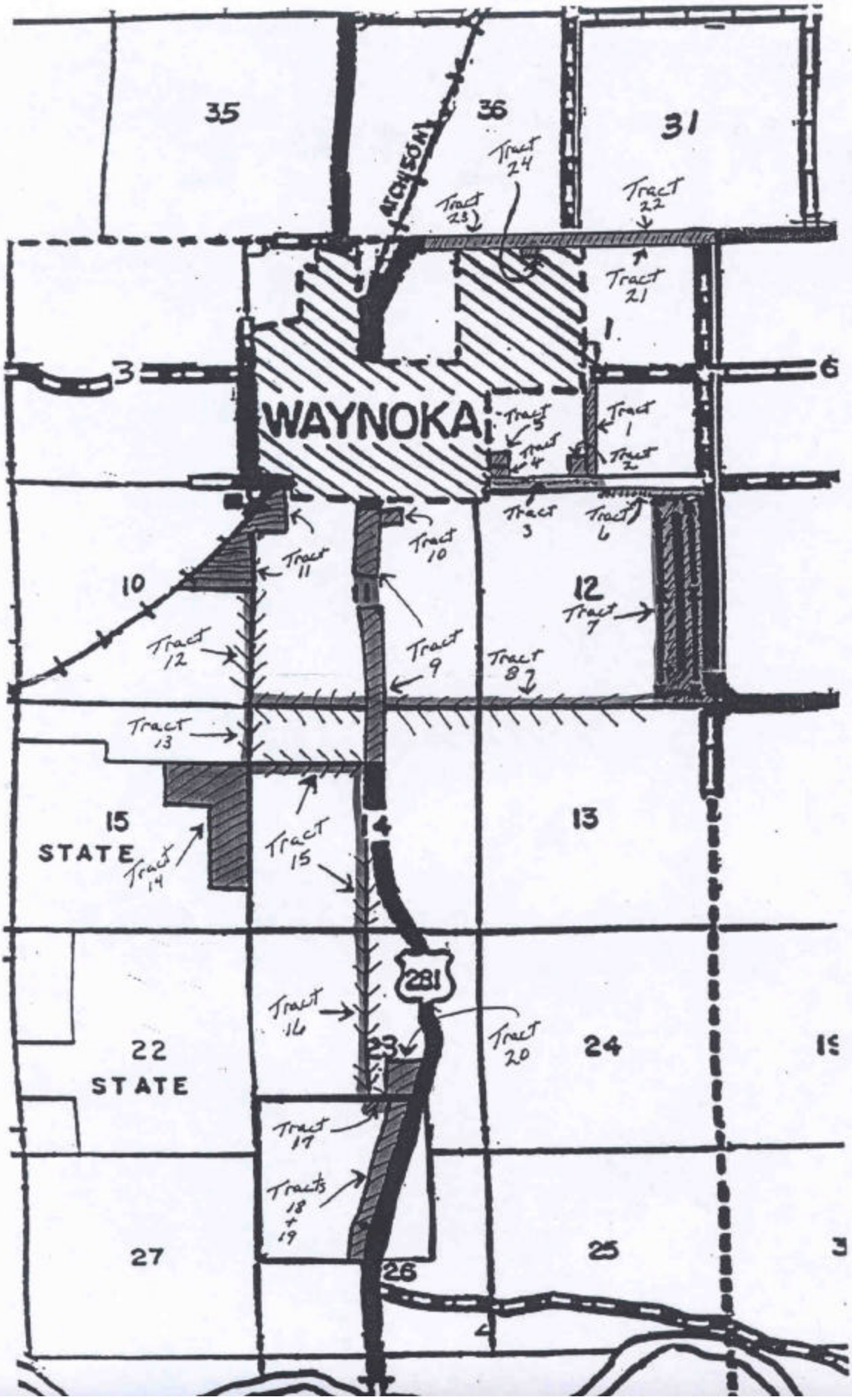
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