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ORDINANCE NO. 3547

AN ORDINANCE CLOSING TO PUBLIC USE A PORTION OF MARLOW DRIVE, AND PORTIONS OR ALL OF FOUR (4) EASEMENTS LOCATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP TWELVE (12) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, CITY OF MIDWEST CITY, OKLAHOMA, OKLAHOMA COUNTY, OKLAHOMA; PROVIDING FOR REPEALER, SEVERABILITY AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

ORDINANCE

SECTION 1. The following portion of Marlow Drive and portions or all of four easements, located in the City of Midwest City, Oklahoma, shall be and the same are hereby closed to the public, to-wit:

Marlow Drive Closure Description:

A strip of land lying in and being a part of the Southwest Quarter (SW/4) of Section Thirty-four (34), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma. Said strip being more particularly described as follows:

COMMENCING at the Southwest corner of the SW/4 of Section 34, T12N-R2W; Thence on the South line of said SW/4, North 89°51'43" East, a distance of 579.12 feet; Thence leaving said South line, North 00°36'11" West, a distance of 200.01 feet to the POINT OF BEGINNING; Thence South 89°51'43" West a distance of 25.00 feet; Thence North 00°36'11" West a distance of 957.99 feet; Thence North 89°51'43" East a distance of 5.00 feet; Thence North 00°36'11" West a distance of 200.49 feet; Thence North 89°53'58" East a distance of 20.00 feet; Thence South 00°36'11" East a distance of 1158.47 feet to the POINT OF BEGINNING.

LESS & EXCEPT, any portion lying within an existing 20'x50' Tract of land as described in a certain document entitled "Quit Claim Deed", recorded in Book 2055, Page 243, Official Records of Oklahoma County Clerk's Office, State of Oklahoma.

Containing 27,954 square feet or 0.6417 acres, more or less.

20-Foot-Wide Bentwood Roadway Easement Description:

A strip of land lying in and being a part of the Southwest Quarter (SW/4) of Section Thirty-four (34), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma. Said strip being more particularly described as follows:

COMMENCING at the Southwest corner of the SW/4 of Section 34, T12N-R2W; Thence on the South line of said SW/4, North 89°51'43" East, a distance of 579.12 feet; Thence leaving said South line, North 00°36'11" West, a distance of 200.01 feet to the POINT OF BEGINNING; Thence continuing North 00°36'11" West, a distance of 1158.47 feet to a point for the Northwest corner of the herein described strip; Thence North 89°54'15" East, a distance of 20.00 feet to a point for the Northeast corner of said strip; Thence South 00°36'11" East, a distance of 1158.45 feet to a point for the Southeast Corner of said strip; Thence South 89°51'43" West, a distance of 20.00 feet to the POINT OF BEGINNING.

Containing an area of 23,169 square feet or 0.5319 acres, more or less.

1 **20-Foot-Wide Midhoma Roadway Easement Description:**

2 A strip of land lying in and being a part of the Southwest Quarter (SW/4) of Section
3 Thirty-four (34), Township Twelve (12) North, Range Two (2) West of the Indian
4 Meridian, Oklahoma County, Oklahoma. Said strip being more particularly
5 described as follows:

6 COMMENCING at the Southwest corner of the SW/4 of Section 34, T12N-R2W;
7 Thence on the South line of said SW/4, North 89°51'43" East, a distance of 579.12
8 feet; Thence leaving said South line, North 00°36'11" West, a distance of 200.01
9 feet to the POINT OF BEGINNING; Thence South 89°51'43" West, a distance of
10 20.00 feet; Thence North 00°36'11" West, a distance of 1158.48 feet to a point for
11 the Northwest corner of the herein described strip; Thence North 89°53'58" East,
12 a distance of 20.00 feet to a point for the Northeast corner of said strip; Thence
13 South 00°36'11" East, a distance of 1158.47 feet to the POINT OF BEGINNING.

14 Containing an area of 23,165 square feet or 0.5318 acres, more or less.

15 LESS & EXCEPT, any portion lying within an existing 20'x50' Tract of land as
16 described in a certain document entitled "Quit Claim Deed", recorded in Book
17 2055, Page 243, Official Records of Oklahoma County Clerk's Office, State of
18 Oklahoma.

17 **5-Foot-Wide Midhoma Roadway Easement Description:**

18 A strip of land lying in and being a part of the Southwest Quarter (SW/4) of Section
19 Thirty-four (34), Township Twelve (12) North, Range Two (2) West of the Indian
20 Meridian, Oklahoma County, Oklahoma. Said strip being more particularly
21 described as follows:

22 COMMENCING at the Southwest corner of the SW/4 of Section 34, T12N-R2W;
23 Thence on the South line of said SW/4, North 89°51'43" East, a distance of 579.12
24 feet; Thence leaving said South line, North 00°36'11" West, a distance of 200.01
25 feet; Thence South 89°51'43" West, a distance of 20.00 feet to the POINT OF
26 BEGINNING; Thence continuing South 89°51'43" West, a distance of 5.00 feet;
27 Thence North 00°36'11" West, a distance of 957.99 feet; Thence North 89°51'43"
28 East, a distance of 5.00 feet; Thence South 00°36'11" East, a distance of 957.99
29 feet to the POINT OF BEGINNING.

30 Containing an area of 4,790 square feet or 0.1100 acres, more or less.

31 **15-Foot-Wide Bentwood Utility Easement:**

32 A strip of land lying in and being a part of a 15 foot wide utility easement recorded
33 in Book 4046 at Page 1110 in the Oklahoma County Clerk's Office in the Southwest
34 Quarter (SW/4) of Section Thirty-four (34), Township Twelve (12) North, Range
35 Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma. Said strip
36 being more particularly described as follows:

37 COMMENCING at the Southwest corner of the SW/4 of Section 34, T12N-R2W;
38 Thence on the South line of said SW/4, North 89°51'43" East, a distance of 798.50
39 feet; Thence leaving said South line, North 00°36'11" West, a distance of 197.01
40 feet to the POINT OF BEGINNING; Thence continuing North 00°36'11" West, a
41 distance of 14.99 feet; Thence North 89°51'43 East, a distance of 171.32 feet to a
42 point on the West line of a 25' Roadway Easement recorded in Book 1629 at Page
552 in the Oklahoma County Clerk's Office; Thence South 00°36'11" East, along
said West line of said 25' Roadway Easement a distance of 14.99 feet; Thence South
89°51'43" West, a distance of 171.32 feet to the POINT OF BEGINNING.

Containing an area of 2,568.61 square feet or 0.059 acres, more or less.

1 A site plan depicting the portion of Marlow Drive and the portions or all of four easements to be
2 closed to public use, marked as Exhibit A, is attached hereto and made a part hereof.

3 **SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are, to the
4 extent of such conflict, hereby repealed.

5 **SECTION 3. SEVERABILITY.** The provisions of this ordinance are severable and if any part or
6 provision hereof shall be adjudged invalid by any court of competent jurisdiction, such
7 adjudication shall not affect or impair any of the remaining parts or provisions hereof.

8
9 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
10 on the 23 day of January, 2024.

11
12 ATTEST:



13 THE CITY OF MIDWEST CITY, OKLAHOMA

14 [Signature]
MATTHEW D. DUKES II, Mayor

15 [Signature]
16 SARA HANCOCK, City Clerk

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APPROVED to form and legality this 24th day of January, 2024

[Signature]
DONALD D. MAISCH, City Attorney

SECTION 4. EMERGENCY. The City Council declares this ordinance to be an emergency, it
being immediately necessary for the preservation of the peace, health, welfare and safety of the
City of Midwest City, Oklahoma, and the inhabitants thereof that the provisions of this ordinance
be put into full force and effect immediately, and therefore an emergency is hereby declared to
exist by reason whereof this ordinance shall take effect and be in full force from and after its
passage as provided by law.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
on the 23 day of January, 2024.

ATTEST:



THE CITY OF MIDWEST CITY, OKLAHOMA

[Signature]
MATTHEW D. DUKES II, Mayor

[Signature]
SARA HANCOCK, City Clerk

APPROVED to form and legality this 24th day of January, 2024

[Signature]
City Attorney