

**AN ORDINANCE ANNEXING REAL PROPERTY LOCATED IN SECTION 17, TOWNSHIP 7 SOUTH, RANGE 2 EAST, LOVE COUNTY, OKLAHOMA, TO THE CITY OF MARIETTA; PROVIDING FOR ZONING; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY**

**WHEREAS**, the owners of the real property, hereinafter described, have requested that annexation of said real property into the boundaries of the City of Marietta; and

**WHEREAS**, notice of a public hearing was published in the Marietta Monitor on February 22, 2019, and mailed to the owners of all property abutting the property to be annexed, pursuant to Title 11 O.S. § 21-103.B.2, on February 20, 2019; and

**WHEREAS**, a public hearing regarding the annexation of the real property was held before the City Council on March 12, 2019, and the City Council has determined that inclusion of the real property within the corporate limits of the City of Marietta is in the best interest of the City and the general public.

## **ORDINANCE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARIETTA, OKLAHOMA:**

**SECTION 1.** That the boundaries of the City of Marietta, Love County, Oklahoma, be and the same are hereby extended so as to include the real property described as follows:

Tract 1:

A tract of land located in the S1/2 of the SW1/4 of the NW1/4 of Section 17, Township 7 South, Range 2 East, Love County, Oklahoma more particularly described as follows: Beginning at a point 620.20 feet East of the Southwest Corner of the SW1/4 of SW1/4 of NW1/4 of said Section 17; thence East 390.0 feet; thence North 574.27 feet; thence West 390.0 feet; thence South 574.27 feet, to the point of beginning; LESS AND EXCEPT a strip of land 50 feet wide for road purposes through said tract, said strip being described as follows: Beginning at a point 620.20 feet East and 295.00 feet North of said Southwest Corner of the SW1/4 of SW1/4 of NW1/4 of said Section 17; thence East 390 feet; thence North 279.07 feet; thence West 50 feet; thence South 229.07 feet; thence West 340 feet; thence South 50 feet to the point of beginning

Tract 2:

A tract of land located in the SW1/4 of the SW1/4 of the NW1/4 of Section 17, Township 7 South, Range 2 East, Love County, Oklahoma, more particularly described as follows: Commencing at a point 782.98 feet North of the Southwest Corner of the SW1/4 of SW1/4 of NW1/4; thence East 631.10 to the True Point of Beginning; thence East 631.10

feet; thence South 208.71 feet; thence West 631.10; thence North 208.71 feet to the point of beginning

Tract 3:

A tract of land located in the SW1/4 of the SW1/4 of the NW1/4 of Section 17, Township 7 South, Range 2 East, Love County, Oklahoma, being more particularly described as follows: Beginning at a point 295.20 feet North and 65.0 feet East of the Southwest Corner of the SW1/4 of SW1/4 of NW1/4 of said Section 17, T7S, R2E; thence North 279.07 feet; thence East 555.20 feet; thence South 254.07 feet; thence West 260.0 feet; thence South 25.0 feet; thence West 295.20 feet to the point of beginning, containing 3.41 acres

Tract 4:

A tract of land in the SW1/4 of the NW1/4 of Section 17, Township 7 South, Range 2 East, Love County, Oklahoma, being more particularly described as follows: Commencing at the Southwest corner of the NW1/4; thence N00°02'49"W, along the West line of the NW1/4, a distance of 782.98 feet; thence S89°44'55"E, parallel with the South line of the NW1/4, a distance of 631.10 feet to the True Point of Beginning; thence N00°02'49"W, parallel with the West line of the NW1/4, a distance of 11.28 feet; thence N89°57'11"E, perpendicular to the West line of the NW1/4, a distance of 631.09 feet to a point being 1262.20 feet East of the West line of the NW1/4; thence S00°02'49"E, parallel with the West line of the NW1/4, a distance of 14.57 feet to a point being 782.98 feet North of the South line of the NW1/4; thence N89°44'55"W, parallel with the South line of the NW1/4, a distance of 631.10 feet to the True Point of Beginning. Having an area of 0.19 Acres more or less, Basis of Bearings is Geodetic North. Said being described by Aaron L. Morris, RPLS No. 1477 on January 18, 2016

Tract 5:

A tract of land located in the SW1/4 of the SW1/4 of the NW1/4 of Section 17, Township 7 South, Range 2 East, more particularly described as follows: Beginning at a point 65 feet East of the Southwest corner of the SW1/4 of SW1/4 of NW1/4 of Section 17, Township 7 South, Range 2 East; thence N 0°10' W a distance of 295.2 feet; thence East and parallel to the South line of said SW1/4 of SW1/4 of NW1/4 of Section 17, a distance of 295.2 feet; thence S 0°10' E a distance of 295.2 feet; thence West a distance of 295.2 feet to the point of beginning, and containing 2 acres, more or less, according to the plat thereof recorded in the office of the County Clerk; Love County, Oklahoma, in Misc. Book 216, Page 289

Tract 6:

A tract of land located in Section 17, Township 7 South, Range 2 East, Love County, Oklahoma, more particularly described as follows: Beginning at a point 782.98 feet North of the SW/C of SW/4 SW/4 NW/4 Sec. 17, T7S, R2E, thence North 122.70 feet, thence East 355.0 feet, thence South 122.70 feet, thence West 355.0 feet to the point of beginning, Containing one acre, more or less

Tract 7:

A tract of land in the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section Seventeen (17), Township Seven (7) South, Range Two (2) East, Indian Base and Meridian, Love County, Oklahoma, being more particularly described as follows: Commencing at the Southwest corner of the NW/4; Thence N00°02'49"W, along the West line of the NW/4, a distance of 1318.98 feet to the Northwest corner of the SW/4 NW/4; Thence S89°42'50"E, along the North line of the SW/4 NW/4, a distance of 59.65 feet to the East line of U.S. Highway 77 as described in the office of the Love County Clerk in Book 49 at Page 74 and being the True Point of Beginning; Thence continuing S89°42'50"E, along the North line of the SW/4 NW/4, a distance of 880.58 feet; Thence S00°02'49"E, parallel with the West line of the SW/4 NW/4, a distance of 535.43 feet to a point being 782.97 feet North of the South line of the NW/4; Thence N89°44'55"W, parallel with the South line of the NW/4, a distance of 585.23 feet to a point being 355.00 feet East of the West line of the NW/4; Thence N00°02'49"W, parallel with the West line of the NW/4, a distance of 122.70 feet; Thence N89°44'55"W, parallel with the South line of the NW/4, a distance of 295.68 feet to the East line of U.S. Highway 77 as described in the office of the Love County Clerk in Book 49 at Page 74; Thence N00°09'12"W, along the East line of said U.S. Highway 77, a distance of 99.46 feet; Thence N00°02'48"E, along the East line of said U.S. Highway 77, a distance of 313.81 feet to the True Point of Beginning. Having an area of 10.00 Acres more or less, Basis of Bearings are Geodetic North. Said being described by Aaron L. Morris, RPLS No. 1477 on January 18, 2016

Tract 8:

A tract of land in the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section Seventeen (17), Township Seven (7) South, Range Two (2) East, Indian Base and Meridian, Love County, Oklahoma, being more particularly described as follows: Commencing at the Southwest corner of the NW/4; Thence N00°02'49"W, along the West line of the NW/4, a distance of 1318.98 feet to the Northwest corner of the SW/4 NW/4; Thence S89°42'50"E, along the North line of the SW/4 NW/4, a distance of 940.23 feet to the True Point of Beginning; Thence continuing S89°42'50"E, along the North line of the SW/4 NW/4, a distance of 210.80 feet to a point 165.00 feet West of the Northeast corner thereof; Thence S00°04'37"E, parallel with the East line of the SW/4 NW/4, a distance of 165.00 feet; Thence S89°42'50"E, parallel with the North line of the SW/4 NW/4, a distance of 165.00 feet to a point on the East line thereof; Thence S00°04'37"E, along the East line of the SW/4 NW/4, a distance of 630.49 feet to a point being 522.68 feet North of the South line of the NW/4; Thence N89°44'55"W, parallel with the South line of the SW/4, a distance of 306.24 feet to a point being 1010.19 feet East of the West line of the NW/4; Thence N00°02'49"W, parallel with the West line of the NW/4, a distance of 51.58 feet; Thence S89°44'55"E, parallel with the South line of the NW/4, a distance of 252.00 feet; Thence N00°02'49"W, parallel with the West line of the NW/4, a distance of 208.71 feet to a point 782.97 feet from the South line and 1262.20 feet from the West line of the NW/4; Thence N89°44'55"W, parallel with the South line of the NW/4, a distance of 321.97 feet to a point 940.23 East of the West line thereof; Thence N00°02'49"W, parallel

with the West line of the NW/4, a distance of 535.43 feet to the True Point of Beginning. Having an area of 4.62 Acres more or less, Basis of Bearings are Geodetic North. Said being described by Aaron L. Morris, RPLS No. 1477 on January 18, 2016

That the above-described real property, while being annexed into the boundaries of the City of Marietta, shall be zoned I-1.

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

**SECTION 3.** If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

**SECTION 4.** It being immediately necessary for the preservation of the peace, health, safety and public good of the City of Marietta and the inhabitants thereof, that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this Ordinance shall take full effect and be in full force from and after its passage, as provided by law.

**PASSED** by the City Council and **SIGNED** by the Mayor of the City of Marietta, Oklahoma on this 12<sup>th</sup> day of March, 2019.

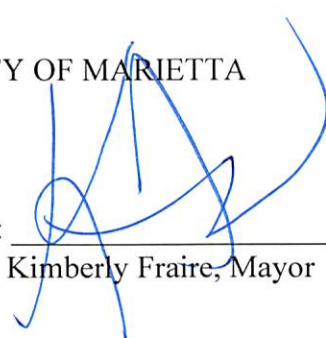
ATTEST:

  
\_\_\_\_\_  
Dottie Gwin, City Clerk



CITY OF MARIETTA

BY: \_\_\_\_\_

  
Kimberly Fraire, Mayor



# AFFIDAVIT OF PUBLICATION

the East line of U.S. Highway 77 as described in the office of the Love County Clerk in Book 49 at Page 74; Thence  $N00^{\circ}09'12''W$ , along the East line of said U.S. Highway 77, a distance of 99.46 feet; Thence  $N00^{\circ}02'48''E$ , along the East line of said U.S. Highway 77, a distance of 313.81 feet to the True Point of Beginning. Having an area of 10.00 Acres more or less, Basis of Bearings are Geodetic North. Said being described by Aaron L. Morris, RPLS No. 1477 on January 18, 2016

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All interested persons are encouraged to attend this meeting or submit a letter containing your name, address, and comments to: City Clerk, City of Marietta, 101 West Main Street, Marietta, Oklahoma, 73448. For additional information call: (580) 276-5569.

/s/ Dustin Scott  
DUSTIN SCOTT, CITY ADMINISTRATOR

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