

**AN ORDINANCE AMENDING THE ZONING OF REAL PROPERTY LOCATED IN THE CITY OF MARIETTA; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY**

**WHEREAS**, the owner of the real property hereinafter described has made application with the City of Marietta requesting the zoning of said real property be amended from C-3 (Highway Commercial and Commercial Recreation District) to I-2 (Medium Industrial District); and

**WHEREAS**, notice of a public hearing was published in the Marietta Monitor on February 15, 2019, and mailed to the owners of property located within three-hundred (300) feet of the real property on February 15, 2019; and

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

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

**SECTION 1.** The zoning of the following property is hereby amended from C-3 (Highway Commercial and Commercial Recreation District) zoning district to I-2 (Medium Industrial District) zoning district to wit:

Lot 4 and Lot 5, Block 17, City of Marietta, Love County, Oklahoma, according to the recorded plat thereof.

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, repealed.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.** There exists an immediate necessity in order to provide proper regulation of property within the City of Marietta, and for the preservation of the peace, health, and safety of the citizens of said City, and emergency is hereby declared to exist whereby this Ordinance shall be in full force and effect 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.

CITY OF MARIETTA

ATTEST:

BY: \_\_\_\_\_  
KIMBERLY FRAIRE, MAYOR

\_\_\_\_\_  
DOTTIE GWIN, CITY CLERK

FAILED: LACK OF SECOND

# AFFIDAVIT OF PUBLICATION

## PLANNING COMMISSION PUBLIC HEARING

### Public Notice

The Planning Commission of the City of Marietta will be holding a public hearing on a proposed rezoning of real property located at Block 82 Lots 4 & 5 Marietta City (110 S. Driftwood). The meeting will be held on Thursday, February 7, 2019 at 6:00 p.m. at Marietta City Hall located at 101 W. Main.

Published in the Marietta Monitor  
on January 18, 2019.

STATE OF OKLAHOMA )  
  )SS  
COUNTY OF LOVE    )

Willis Choate, of lawful age, being duly sworn and authorized, says that he is publisher of the Marietta Monitor, a weekly newspaper published in the City of Marietta, Love County, Oklahoma a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971, as amended, and complies with all other requirements of the laws of Oklahoma with reference to legal publications.

That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the following dates: January 18, 2019

Publication Fee: \$9.10

Willis Choate

(Publisher)

Subscribed and sworn to before me this 18th  
day of January 20 19

My commission expires:

October 29, 20 22

Bronwyn Carter  
Notary Public



# AFFIDAVIT OF PUBLICATION

## CITY COUNCIL PUBLIC HEARING

Public Notice

The City Council of the City of Marietta will be holding a public hearing on a proposed rezoning of real property located at Block 82 Lots 4 & 5 Marietta City (110 S. Driftwood). The meeting will be held on Tuesday, February 12, 2019 at 6:00 p.m. at the Marietta Public Works Authority office located at 303 W. Main.

Published in the Marietta Monitor on January 18, 2019.

STATE OF OKLAHOMA )  
  )SS  
COUNTY OF LOVE    )

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