

ORDINANCE NO. 2019-06

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

WHEREAS, the owner of the real property hereinafter described has made an application with the City of Marietta requesting the zoning of said real property be amended from I-1 (Light Industrial District) to C-3 (Highway Commercial and Commercial Recreation District); and

WHEREAS, notice of a public hearing was published in the Marietta Monitor on May 3, 2019, and mailed to the owners of property located within 300 feet of the real property on April 30, 2019; and

WHEREAS, a public hearing regarding the application for zoning amendment of the real property was held before the Planning Commission on May 23, 2019, and the Planning Commission has recommended an amendment to the zoning of the real property as provided by Resolution P19-02; and

WHEREAS, a public hearing regarding the application for zoning amendment of the real property was held before the City Council on June 11, 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 real property is amended from I-1 (Light Industrial District) to C-3 (Highway Commercial and Commercial Recreation District) zoning district to wit:

A tract of land located in part of the West Half (W1/2) of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section Nineteen (19), Township Seven (7) South, Range Two (2) East, Love County, State of Oklahoma, and being more particularly described as follows, to wit: Beginning at the Northeast corner of the NE1/4 of Section 19, Township 7 South, Range 2 East, thence S89°52'48"W 1145.50 feet; thence S00°07'12"E 67.7 feet to a point on the South right-of-way line of State Highway No. 32, said point being the true point of beginning, thence S00°07'12"E 209.00 feet; thence N89°52'48"E 155.31 feet; thence N00°06'23"W 156.78 feet; thence S89°52'38"W 50.84 feet; thence N00°07'12"W 54.23 feet; thence S88°46'38"W 104.52 feet to the point of beginning.

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 All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, repealed.

SECTION 3. If any section, subsection, 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.

PASSED by the City Council and signed by the Mayor of the City of Marietta, Oklahoma on this 11th day of June 2019.



Dottie Gwin
DOTTIE GWIN, CITY CLERK

CITY OF MARIETTA

BY: [Signature]
KIMBERLY FRAIRE, MAYOR

AFFIDAVIT OF PUBLICATION

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

SECTION 1. The zoning of the following real property is amended from 1-1 (Light Industrial District) to C-3 (Highway Commercial and Commercial Recreation District) zoning district to wit:

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PASSED by the City Council and **SIGNED** by the Mayor of the City of Marietta, Oklahoma on this 11th day of June 2019.

ATTEST:
(SEAL)
/s/ Dottie Gwin
DOTTIE GWIN, CITY CLERK

CITY OF MARIETTA
BY: /s/ Kimberly Fraire
KIMBERLY FRAIRE, MAYOR

Published in the Marietta Monitor on July 19, 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: July 19, 2019

Publication Fee: \$82.05

Willis Choate
(Publisher)

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

My commission expires: October 29, 20 22

Bronwyn Carter
Notary Public

