

**ORDINANCE NO. 2023- 6**

AN ORDINANCE AMENDING AND RESTATING ORDINANCE 2022-06 CLOSING A PLATTED DRAINAGE EASEMENT ON A PROPERTY IN ROGERS COUNTY, STATE OF OKLAHOMA.

WHEREAS, Ordinance 2022-06 contained a scrivener's error in the legal description;

WHEREAS, the correct legal description of the drainage easement to be closed is as follows:

"A Fifteen (15) foot wide Drainage Easement located in the Combined Lots of Lots Two (2) and Three(3) of Block Four (4) of THE AMENDED PLAT ESTATES AT FOREST PARK, according to the recorded plat, thereof, located In Section Five (5) of Township Twenty-one (21) North and Range Sixteen (16) East of the Indian Base and Meridian (1.8.&M.), according to the U.S. Government Survey, thereof, Rogers County, State of Oklahoma."

WHEREAS, The City of Claremore was the beneficiary of the platted drainage easement that divides lots two (2) and three (3) and after a lot combination, the City has requested and received a new, acceptable, drainage easement granted through an express easement after the closing of said easement;

WHEREAS, Written notice of the proposed closing of the easement was given by registered mail to the holders of a franchise and others determined by the governing body to have a special right or privilege granted by ordinance or legislative enactment to use the public way thirty (30) days prior to passage of Ordinance 2022-06, and

WHEREAS, all written notice of the ordinance sent to franchise holders and others determined to have a right in said closing, by statute or ordinance, contained the correct legal description and contained no known defects.

NOW, THEREFORE, THE CITY OF CLAREMORE HEREBY ORDAINS:

Section 1. That the City of Claremore presents this Ordinance to Amend and Restate Ordinance 2022-06 which contained a scrivener's error in the legal description;

Section 2. That the franchise holders, City of Claremore, AT&T Corp., Cox Communications, Inc. and Oklahoma Natural Gas Company, a Division of One Gas, Inc. or other persons having a special right or privilege granted by ordinance or legislative enactment to use the dedicated utility easement have either consented in writing or have not objected to such closing. And proper notice contained the correct legal description;

Section 3. That platted drainage easement as shown on the THE AMENDED PLAT ESTATES AT FOREST PARK described as follows, is the correct legal description of the easement to be closed by ordinance and is as follows:

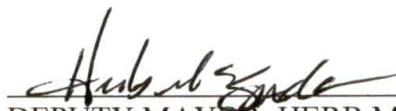
CITY OF CLAREMORE
CITY CLERK
P.O. BOX 249
CLAREMORE, OK 74018-0249

A Fifteen (15) foot wide Drainage Easement located in the Combined Lots of Lots Two (2) and Three(3) of Block Four (4) of THE AMENDED PLAT ESTATES AT FOREST PARK, according to the recorded plat, thereof, located In Section Five (5) of Township Twenty-one (21) North and Range Sixteen (16) East of the Indian Base and Meridian (1.8.&M.), according to the U.S. Government Survey, thereof, Rogers County, State of Oklahoma Lying within the corporate limits of the City of Claremore filed of record on the 9th day of August, 2012 in Book 2263 at Page 370 is hereby closed for public use.

Section 4. This Ordinance is duly considered at a regular public meeting of the City Council, and is approved and adopted by a vote of a majority of all of the members of the City Council. This ordinance shall become effective at the expiration of thirty (30) days after the adoption hereof, or at any other date specified herein.


PASSED AND APPROVED in regular session this 20th day of March, 2023.

CITY OF CLAREMORE, OKLAHOMA



DEPUTY MAYOR, HERB MCSPADDEN

ATTEST:


CITY CLERK (SEAL)

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