

ORDINANCE NO. 4018-A

AN ORDINANCE ESTABLISHING A ZONING CLASSIFICATION OF "I-2" HEAVY INDUSTRIAL DISTRICT AND ANNEXING TERRITORY ADJACENT TO THE CITY LIMITS UPON PETITION OF THE OWNER, SAID TERRITORY BEING DESCRIBED AS FOLLOWS: A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER (NE1/4) OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NE1/4 OF SAID SECTION 24; THENCE N88°18'58"E ALONG THE NORTH LINE OF SECTION 24 A DISTANCE OF 526.42 FEET TO THE POINT OF BEGINNING; THENCE S46°09'42"W ALONG THE EAST LINE OF THE RAILROAD RIGHT-OF-WAY A DISTANCE OF 299.72 FEET TO A POINT; THENCE N88°18'57"E A DISTANCE OF 372.19 FEET TO A POINT; THENCE N01°41'02"W A DISTANCE OF 201.15 FEET TO A POINT ON THE NORTH LINE OF SECTION 24; THENCE S88°18'58"W ALONG THE NORTH LINE THEREOF A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1.21 ACRES, MORE OR LESS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY (Trickle Down Investments, LLC, Petitioner)

WHEREAS, the owners of the acres described in Section 1 of this Ordinance, said land being contiguous to and adjacent to the City of Muskogee, have requested in writing that the same be ZONED AS "I-2" HEAVY INDUSTRIAL DISTRICT AND ANNEXED TO AND ADDED TO THE CITY.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THAT:

Section 1: The area by which the petition seeks zoning and annexation is described as follows:

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER (NE1/4) OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NE1/4 OF SAID SECTION 24; THENCE N88°18'58"E ALONG THE NORTH LINE OF SECTION 24 A DISTANCE OF 526.42 FEET TO THE POINT OF BEGINNING; THENCE S46°09'42"W ALONG THE EAST LINE OF THE RAILROAD RIGHT-OF-WAY A DISTANCE OF 299.72 FEET TO A POINT; THENCE N88°18'57"E A DISTANCE OF 372.19 FEET TO A POINT; THENCE N01°41'02"W A DISTANCE OF 201.15 FEET TO A POINT ON THE NORTH LINE OF SECTION 24; THENCE S88°18'58"W ALONG THE NORTH LINE THEREOF A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING. CONTAINING

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1.21 ACRES, MORE OR LESS; WITH A ZONING CLASSIFICATION OF "I-2"
HEAVY INDUSTRIAL DISTRICT.

Section 2: The increase of the City by the annexation of the hereinbefore described property will redound to the benefit of the City and the same is hereby zoned and annexed.

Section 3: A copy of the Ordinance, together with an accurate map of the territory zoned and annexed, certified by the Mayor and the City Clerk, shall be filed in the office of the County Clerk of Muskogee County, Oklahoma.

Section 4: SEVERABILITY. Should any section, subsection, sentence, provision, clause, or phrase hereof be held invalid, void, or unconstitutional for any reason, such holding shall not render invalid, void, or unconstitutional any other section, subsection, sentence, provision, clause, or phrase of this Ordinance, and the same are deemed severable for this purpose.

Section 5: EMERGENCY. This Ordinance being designated to protect the health and safety of the inhabitants of the City of Muskogee, Oklahoma, an emergency is hereby declared to exist whereby the same shall be in full force and effect from and after its adoption and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA THIS 10th DAY OF APRIL, 2017.

JOHN R. COBURN, MAYOR

ATTEST:

TAMMY TRACY, CITY CLERK
(SEAL)

APPROVED as to form and legality this _____ day of _____, 2017.

ROY D. TUCKER, CITY ATTORNEY