

ORDINANCE NO. 4059-A

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MUSKOGEE AS PROVIDED BY CHAPTER 90, SECTION 01-03, OF THE MUSKOGEE CITY CODE, SEPTEMBER 2014, BY RE-ZONING A PARCEL OF LAND IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 4.22 ACRES MORE OR LESS, AND PROVIDING FOR SEVERABILITY. THE PROPERTY IS MORE PARTICULARLY DESCRIBED AS:

Commencing at the Northwest Corner of said Northwest Quarter of the Northeast Quarter; Thence along the West Line of said Northwest Quarter of the Northeast Quarter S01°38'55"E 145.00 feet; Thence N88°10'13"E parallel to the North Line of said Northwest Quarter of the Northeast Quarter 334.09 feet to the Point of Beginning; Thence N88°10'13"E 525.8 feet to a point on the Easterly line of a tract as described in District Court Records filed in Book 1035 at Page 217 of the Muskogee County Records; Thence along said boundary on a curve to the left having a radius of 498.96 feet a chord which bears S46°32'13"W 62.35 feet an arc distance of 62.39 feet; Thence S43°40'03"W 411.70 feet to a point that is 475 feet South of the North line and 519.2 feet East of the West line of said Northwest Quarter of the Northeast Quarter; Thence S43°40'03"W 275.10 feet; Thence on a curve to the left having a radius of 546.90 feet, a chord which bears S38°53'37"W 90.80 feet, an arc distance of 90.90 feet to a point on the North line of Military Boulevard; Thence along said North line on a curve to the left having a radius of 10111.10 feet a chord which bears N87°26'08"W 34.90 feet, an arc distance of 34.90 feet, to a point that is 185 feet East of the Center Line of US Highway 69; Thence N01°40'41"W parallel to said center line 484.48 feet; Thence N42°52'29"E 147.14 feet to the Point of Beginning. Containing approximately 4.22 acres.

(INHOFE LAND & CATTLE INC. ETAL, Applicant)

FROM "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT

TO

"C-3" REGIONAL COMMERCIAL DISTRICT

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held JANUARY 7, 2019, did recommend the approval of the rezoning of the property set out above in the title of the Ordinance, and did authorize the director of the Commission to advise the Council of the City of Muskogee of this recommendation, NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA,

Section 1. THAT, the official zoning map of the City of Muskogee as provided by Chapter 90, Section 01-03, of the Muskogee City Code, September 2014, is hereby amended by changing the District Classification by rezoning;

The property more particularly described as follows: Commencing at the Northwest Corner of said Northwest Quarter of the Northeast Quarter; Thence along the West Line of said Northwest Quarter of the Northeast Quarter S01°38'55"E 145.00 feet; Thence N88°10'13"E parallel to the North Line of said Northwest Quarter of the

Ordinance No. _____

Northeast Quarter 334.09 feet to the Point of Beginning; Thence N88°10'13"E 525.8 feet to a point on the Easterly line of a tract as described in District Court Records filed in Book 1035 at Page 217 of the Muskogee County Records; Thence along said boundary on a curve to the left having a radius of 498.96 feet a chord which bears S46°32'13"W 62.35 feet an arc distance of 62.39 feet; Thence S43°40'03"W 411.70 feet to a point that is 475 feet South of the North line and 519.2 feet East of the West line of said Northwest Quarter of the Northeast Quarter; Thence S43°40'03"W 275.10 feet; Thence on a curve to the left having a radius of 546.90 feet, a chord which bears S38°53'37"W 90.80 feet, an arc distance of 90.90 feet to a point on the North line of Military Boulevard; Thence along said North line on a curve to the left having a radius of 10111.10 feet a chord which bears N87°26'08"W 34.90 feet, an arc distance of 34.90 feet, to a point that is 185 feet East of the Center Line of US Highway 69; Thence N01°40'41"W parallel to said center line 484.48 feet; Thence N42°52'29"E 147.14 feet to the Point of Beginning. Containing approximately 4.22 acres.

FROM "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "C-3" REGIONAL COMMERCIAL DISTRICT.

AND that this change be so ordered and declared by the City Council. Section 2. THAT, the City Clerk is authorized and directed to show such change on the zoning map record.

Section 3: REPEALER. All other ordinances or parts of ordinances in direct conflict herewith are repealed to the extent of the conflict only.

Section 4: SEVERABILITY. Should any part, 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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, and THIS 14TH DAY OF JANUARY 2019.

JOHN R. COBURN, MAYOR

ATTEST:

TAMMY L. TRACY, CITY CLERK
(SEAL)

APPROVED as to form and legality this ____ day of _____, 2019.

Ordinance No. _____

ROY D. TUCKER, CITY ATTORNEY