

ORDINANCE NO. 4060-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 PROPERTY LOCATED AT 4 E. SHAWNEE. THE TRACT OF LAND IS IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 5.1541 ACRES MORE OR LESS, AND PROVIDING FOR SEVERABILITY. THE PROPERTY IS MORE PARTICULARLY DESCRIBED AS:

A tract of land located in the Southwest Quarter (SW/4) of the Southwest Quarter (SW/4) of Section (13), Township Fifteen (15) North, Range Eighteen (18) East of the Indian Meridian Muskogee County, Oklahoma, more particularly described as follows, to wit:

Beginning at the Southwest property corner which is SOUTH 01°28'00" EAST a distance of 904.5' and NORTH 88°27'58" EAST a distance of 79.87 from the Northwest corner of the said Southwest Quarter (SW/4) of the said Southwest Quarter (SW/4); Thence North 01°28'00" WEST a distance of 544.14'; Thence North 88°32'00" EAST a distance of 386.57'; Thence SOUTH 01°28'00" EAST a distance of 641.87'; Thence on a curve turning to the right with an arc length of 108.55', with a radius of 650.00', and a chord bearing of NORTH 73°52'03" WEST, with a chord length of 108.42'; Thence NORTH 69°05'00" WEST a distance of 82.50' to a point of curvature on a curve turning to the left with an arc length of 180.60', with a radius of 450.00', and a chord bearing of NORTH 80°35'10" WEST, with a chord length of 179.39', Thence SOUTH 87°55'00" WEST a distance of 30.77' to the POINT OF BEGINNING. Containing an area of approximately 224,513 square feet or 5.1541 acres +

(AMERCO REAL ESTATE COMPANY, Applicant)

FROM "C-1" LOCAL COMMERCIAL DISTRICT AND FROM

"C-2" GENERAL COMMERCIAL 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;

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.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

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(SEAL)

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

ROY D. TUCKER, CITY ATTORNEY