

ORDINANCE NO. 2768

An Ordinance amending the limits of the City of Blackwell, Oklahoma to include a tract of land located generally East of the Railroad and South of Stevens, in Section 26, Township 27 North, Range 1 West, Kay County; Adopting a plan of services; Setting zoning; and Declaring an emergency

WHEREAS, the City of Blackwell and Blackwell Zinc Co., Inc have requested that certain property it owns be annexed in to the City Limits of the City of Blackwell; and

WHEREAS, on Tuesday, March 16, 2009 the Mayor and City Commissioners set a public hearing on such request for April 6, 2009; and

WHEREAS, notice of the public hearing was mailed to all property owners and abutting property owners and published in the Blackwell Journal Tribune on the 19th day of March, 2009; and

WHEREAS, the owners of a majority of the acres of the tract have consented in writing to the annexation; and

WHEREAS, the property can immediately be provided with all necessary City services, as set out in the Plan of Service attached hereto and made a part thereof; and

WHEREAS, the property should be zoned for the appropriate uses:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF BLACKWELL, OKLAHOMA, THAT:

Section 1. The following described property is annexed into the City limits:

A tract of land in Section 26, Township 27 North, Range 1 West of the Indian Meridian, Kay County, Oklahoma, more particularly described as:

Beginning at a point of the West Right-of-Way (R/W) line of the Atchison, Topeka and Santa Fe Railroad coinciding with the centerline of Stevens Avenue as a true Point of Beginning (POB); thence North on the R/W line a distance of 926.07 feet; thence East for a distance of 989.12 feet; thence South for a distance of 91.74 feet; thence West for a distance of 123.27 feet; thence South for a distance of 630.60 feet; thence West for a distance of 452.3 feet; thence South for a distance of 30 feet; thence West for a distance of 100 feet; thence North 14 feet to the Point of Beginning consisting of 13.5 acres more or less.

Section 2. The Plan of Services as attached to and made a part hereof is approved.

Section 3. The tract shall be zoned "P" Public, less and except the following described tract,

Beginning from a set nail in the intersection of Stevens Street and Urbana Street; thence East a distance of 489.78 feet; Thence North 30.00 feet to the Point of Beginning; thence North 00 degrees, 00 feet, 00 seconds West a distance of 230.00 feet; Thence North 90 degrees, 00 feet 00 seconds East a distance of 193.50 feet; Thence South 45 degrees 35 feet 41 seconds East a distance of 51.09 feet; Thence South 00 degrees 00 minutes 00 seconds East a distance of 194.25 feet; Thence South 90 degrees 00 minutes 00 seconds West, a distance of 230.00 feet, being the Point of Beginning.

Which shall be zoned I-H, Heavy Industrial District, with the specific intention that Blackwell Zinc Co., Inc., its successors and assigns, shall use the site for activities as permitted therein, to include activities connected with the remediation of contaminants, including the building of a treatment plant, all of which is expressly approved.

Section 4. It being necessary for the public health, safety and welfare of the citizens of Blackwell, an emergency is hereby declared to exist; second reading is waived; and this ordinance shall become effective immediately upon publication.

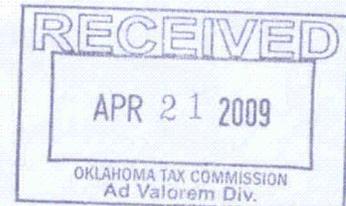
THIS ORDINANCE APPROVED IN OPEN MEETING THIS 6th DAY OF April, 2009, ALL COMMISSIONERS BEING PRESENT AND VOTING ON THE QUESTIONS OF PASSAGE OF THIS ORDINANCE AS FOLLOWS: CORDELL yea, BECHTEL yea, CARROLL yea, WIRTZ yea, HUDSONPILLAR yea,



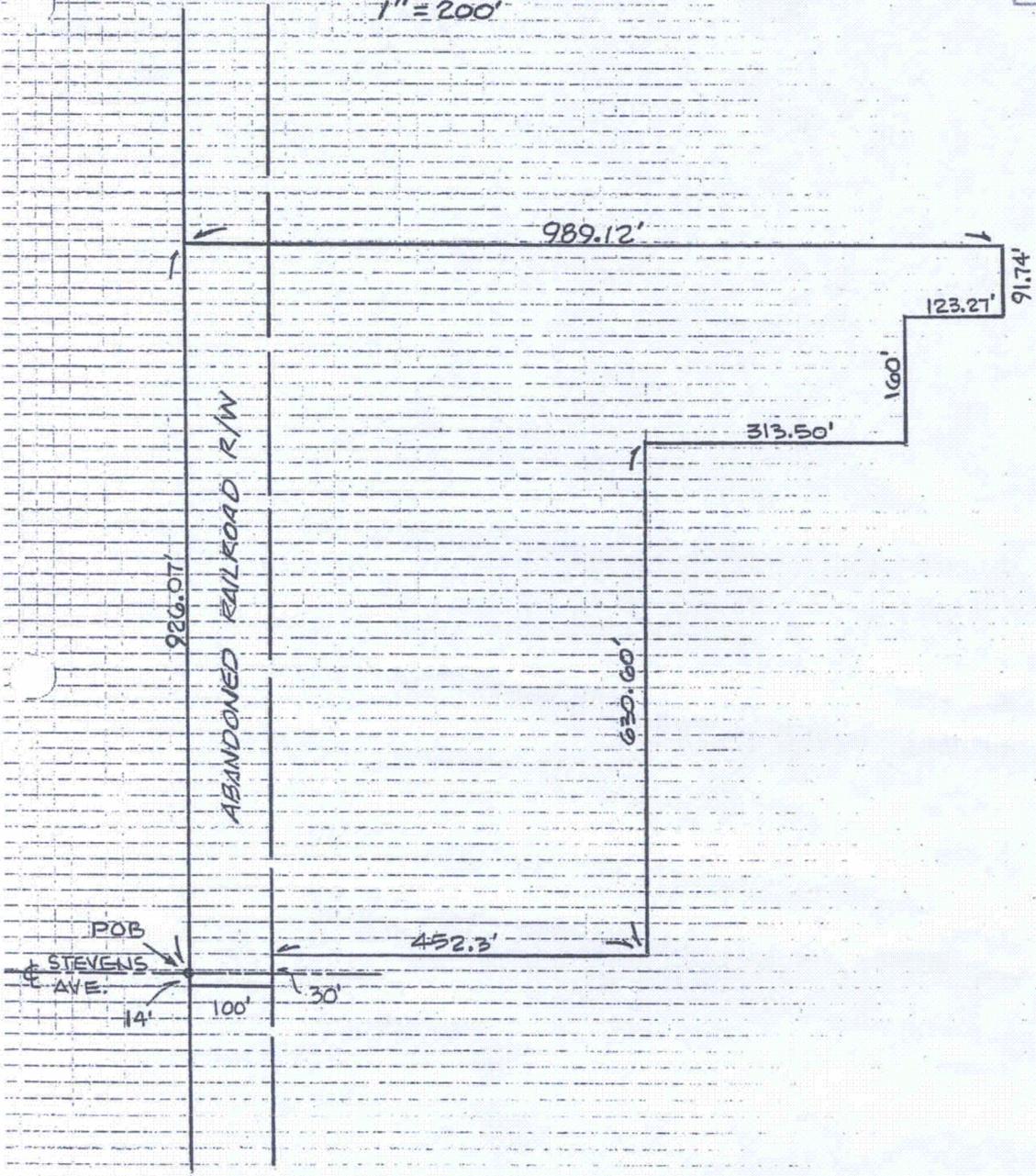
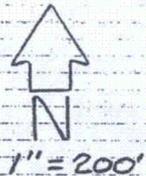
Delva Page
City Clerk

Paul Marshall Cordeell
Mayor, City of Blackwell

Emergency and waiver of second reading separately voted upon, passed and approved this 6th day of April, 2009.



RECEIVED
APR 21 2009
OKLAHOMA TAX COMMISSION
Ad Valorem Div.



BOUNDARY SURVEY - LAND LOCATED IN
THE S.E. & S.W. QUARTERS OF SECTION 26,
TOWNSHIP 27 NORTH, RANGE 1 WEST OF
THE INDIAN MERIDIAN, BLACKWELL, KAY
COUNTY, OKLAHOMA

EXHIBIT (A) 3/11/09