

ORDINANCE NO. 22

AN ORDINANCE ANNEXING TERRITORY ADJACENT AND OR CONTIGUOUS TO THE CORPORATE LIMITS OF THE TOWN OF CARLTON LANDING, OKLAHOMA, WITH THE WRITTEN CONSENT OF THE OWNERS OF A MAJORITY OF THE ACRES WITHIN THE NEW TERRITORY; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

**ORDINANCE**

WHEREAS, on the 20th day of June, 2015, the Town Board of Trustees of the Town of Carlton Landing, Oklahoma, at a duly noticed special meeting, approved a resolution proposing to annex into the corporate limits of the Town of Carlton Landing, Oklahoma, new territory as described on Exhibit A (the "Additional Territory") and depicted on Exhibit B hereto as "Annexation 2";

WHEREAS, in accordance with such resolution, notice was published on July 3, 2015 in the McAlester News-Capital and notice was mailed on July 2, 2015 to owners of real property and to the Sales and Use Tax Division of the Oklahoma Tax Commission, providing notice of a public hearing on the proposed annexation, held on July 18 at a regular meeting of the Town Board of Trustees, all as required by Section 21-103 of Title 11 of the Oklahoma Statutes;

WHEREAS, at a meeting of the Planning commission on August 8, 2015, the Planning Commission considered and recommended that the Additional Territory be annexed;

WHEREAS, the owners of a majority of the acres in the Additional Territory have consented to the proposed annexation by separate Agreement and Consent to Annexation;

WHEREAS, on August 15, 2015, the Town Board of Trustees adopted a comprehensive plan (the "Comprehensive Plan") for the future development and regulation of the development of the Town, which Comprehensive Plan includes consideration and a plan for regulation of the Additional Territory; and

WHEREAS, the Town Board of Trustees has determined that inclusion of the Additional Territory within the corporate limits of the Town of Carlton Landing and regulation of the Additional Territory as provided for in the comprehensive plan within the corporate limits of the Town of Carlton Landing is in the best interests of the Town and the general public.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARLTON LANDING, OKLAHOMA:

SECTION 1. Pursuant to the authority of 11 O.S. § 21-101, et seq. of the Oklahoma Statutes, the Additional Territory as described on the attached Exhibit A and depicted as "Annexation 2" on the attached Exhibit B, is hereby annexed and added to the Town of Carlton Landing, and subject to land use regulation as provided for in the Comprehensive Plan.

Provided, however, that such annexation shall not be effective as to the application of sales and use taxes until notice of such annexation, inclusive of a map, is mailed by first class mail to the Sales

and Use Tax Division of the Oklahoma Tax Commission as required by 11 O.S. § 21-103.

SECTION 2. All Ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

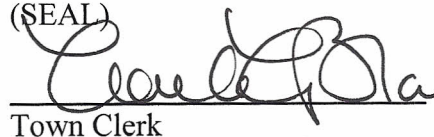
SECTION 3. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions.

SECTION 4. EMERGENCY SECTION. WHEREAS, in the judgment of the Board of Trustees it is necessary for the preservation of the peace, health, welfare and safety of the Town of Carlton Landing, Oklahoma, Oklahoma and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

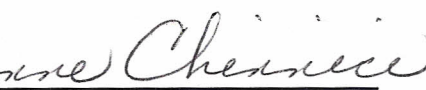
PASSED by the Board of Trustees of the Town of Carlton Landing, Oklahoma, on the 15th day of August, 2015.

SIGNED by the Mayor of the Town of Carlton Landing, Oklahoma, on the 15th day of August, 2015.

ATTEST:  
(SEAL)

  
Town Clerk



  
Mayor

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

#### **Carlton Landing – Annexation 2**

**[Prepared October 21, 2014]**

A tract of land being a part of the Southwest Quarter (SW/4) and Southeast Quarter (SE/4) of Section Thirty-one (31), Township Nine (9) North, Range Seventeen (17) East of the Indian Meridian, Pittsburg County, Oklahoma, being more particularly described as follows:

Beginning at the Northwest (NW) Corner of said Southwest Quarter (SW/4), said point being the POINT OF BEGINNING;

THENCE North 88°26'24" East, along and with the North line of said Southwest Quarter (SW/4) and Southeast Quarter (SE/4), a distance of 5,286.09 feet to the Northeast (NE) Corner of said Southeast Quarter (SE/4);

THENCE South 01°21'54" East, along and with the East line of said Southeast Quarter (SE/4), a distance of 1,324.17 feet to a point on the U.S. Army Corp of Engineers Lake Eufaula boundary line;

THENCE along and with the U.S. Army Corp of Engineers Lake Eufaula boundary line the following nine (9) calls:

1. South 30°30'44" West, a distance of 329.76 feet;
2. South 30°33'31" West, a distance of 1,229.19 feet to a point on the South line of said Southeast Quarter (SE/4) ;
3. South 88°30'58" West, along and with the South line of said Southeast Quarter (SE/4), a distance of 1,154.51 feet;
4. North 54°33'56" West, departing said South line, a distance of 824.38 feet;
5. North 46°26'14" West, a distance of 467.06 feet;
6. South 88°30'15" West, a distance of 658.42 feet;
7. North 64°56'32" West, a distance of 738.24 feet;
8. South 88°32'27" West, a distance of 330.53 feet;
9. South 61°58'44" West, a distance of 738.04 feet to a point on the West line of said Southwest Quarter (SW/4);

THENCE North 01°35'07" West, along and with the West line of said Southwest Quarter (SW/4), a distance of 1,812.87 feet to the POINT OF BEGINNING.

#### **LESS & EXCEPT ORIGINAL MUNICIPALITY**

A tract of land being a part of the Southwest Quarter (SW/4), and the Southeast Quarter (SE/4) of Section Thirty-one (31), Township Nine (9) North, Range Seventeen (17) East of the Indian Base Meridian, Pittsburg County, Oklahoma, being more particularly described as follows:

Commencing at the Southwest (SW) Corner of the Southeast Quarter (SE/4) of said Section Thirty-One (31);

THENCE North 88°30'58" East, along and with the South line of the Southeast Quarter (SE/4) of said Section Thirty-One (31), a distance of 660.05 feet to a found U.S. Army Corp of Engineers brass cap monument being the POINT OF BEGINNING on the U.S. Army Corp of Engineers Lake Eufaula boundary line;

THENCE along and with the U.S. Army Corp of Engineers Lake Eufaula boundary line the following Two (2) calls;

1. North 54°33'56" West, departing said South line, a distance of 824.38 feet to a found U.S. Army Corp of Engineers brass cap monument on the West line of the Southeast Quarter (SE/4) of said Section Thirty-one (31);

2. North 46°26'14" West, a distance of 419.23 feet to a point on the U.S. Army Corp of Engineers Lake Eufaula boundary line, said point being 47.82 feet Southeast (SE) of a found U.S. Army Corp of Engineers brass cap monument;

THENCE North 38°12'22" East, departing said U.S. Army Corp of Engineers Lake Eufaula boundary line, a distance of 223.75 feet;

THENCE on a non tangent curve to the right, having a radius of 230.00, a chord bearing of North 42°15'07" West, a chord distance of 74.22 feet, and an arc length of 74.55 feet;

THENCE on a curve to the left, having a radius of 175.00 feet, a chord bearing of North 33°31'59" West, a chord distance of 3.46 feet, and an arc length of 3.46 feet;

THENCE North 55°54'02" East, a distance of 60.00 feet;

THENCE on a non tangent curve to the left, having a radius of 375.00 feet, a chord bearing of North 23°08'40" East, a chord distance of 311.23 feet, and an arc length of 320.93 feet;

THENCE North 01°22'23" West, a distance of 1.91 feet;

THENCE North 88°25'32" East, at a distance of 25.00 feet passing the East line of the Southwest Quarter (SW/4) of said Section Thirty-one (31), said point being 845.22 feet North of a found U.S. Army Corp of Engineers brass cap monument lying on the East line of the Southwest Quarter (SW/4) of said Section Thirty-one (31) and continuing along said line, a total distance of 789.73 feet;

THENCE on a non tangent curve to the left, having a radius of 3,370.00 feet, a chord bearing of South 01°18'09" East, a chord distance of 8.00 feet, and an arc length of 8.00 feet;

THENCE North 88°25'32" East, a distance of 333.09 feet;

THENCE South 62°08'42" East, a distance of 12.00 feet;

THENCE on a non tangent curve to the left, having a radius of 2,973.00 feet, a chord bearing of South 26°53'50" West, a chord distance of 99.37 feet, and an arc length of 99.37 feet;

THENCE on a non tangent curve to the left, having a radius of 3,488.00 feet, a chord bearing of South 63°25'41" East, a chord distance of 558.68 feet, and an arc length of 559.28 feet;

THENCE South 68°01'17" East, a distance of 194.33 feet;

THENCE on a non tangent curve to the right, having a radius of 2,220.50 feet, a chord bearing of North 27°47'09" East, a chord distance of 128.55 feet, and an arc length of 128.57 feet;

THENCE South 60°33'20" East, a distance of 551.70 feet to a point on the U.S. Army Corp of Engineers Lake Eufaula boundary line;

THENCE along and with the U.S. Army Corp of Engineers Lake Eufaula boundary line the following Two (2) calls;

1. South 30°33'31" West, a distance of 860.35 feet to a found U.S. Army Corp of Engineers brass cap monument on the South line of the Southeast Quarter (SE/4) of said Section Thirty-one (31);
2. South 88°30'58" West, along and with the South line of the Southeast Quarter (SE/4) of

said Section Thirty-one (31), a distance of 1,154.51 feet to a found U.S. Army Corp of Engineers brass cap monument, the POINT OF BEGINNING.

**LESS & EXCEPT**

A tract of land being a part of the Southwest Quarter (SW/4) of Section Thirty-one (31), Township Nine (9) North, Range Seventeen (17) East of the Indian Meridian, Pittsburg County, Oklahoma, being more particularly described as follows:

COMMENCING at the Northwest (NW) Corner of said Southwest Quarter (SW/4);

THENCE South 01°35'07" East, along and with the West line of said Southwest Quarter (SW/4), a distance of 737.98 feet to the POINT OF BEGINNING

THENCE North 57°55'16" East, departing said West line, a distance of 146.47 feet;

THENCE along a curve to the right, having a radius of 630.00 feet, a chord bearing of North 79°10'05" East, a chord distance of 456.62 feet, and an arc length of 467.25 feet;

THENCE South 79°35'04" East, a distance of 131.16 feet;

THENCE along a curve to the right, having a radius of 1,130.00 feet, a chord bearing of South 64°04'26" East, a chord distance of 604.36 feet, and an arc length of 611.81 feet;

THENCE on a reverse curve to the left, having a radius of 970.00 feet, a chord bearing of South 57°09'28" East, a chord distance of 289.91 feet, and an arc length of 291.00 feet;

THENCE South 65°45'08" East, a distance of 626.93 feet;

THENCE along a curve to the right, having a radius of 230.00 feet, a chord bearing of South 57°25'14" East, a chord distance of 66.66 feet, and an arc length of 66.89 feet;

THENCE on a reverse curve to the left, having a radius of 420.00 feet, a chord bearing of South 62°59'03" East, a chord distance of 201.73 feet, and an arc length of 203.72 feet;

THENCE South 76°52'46" East, a distance of 74.03 feet;

THENCE along a curve to the right, having a radius of 235.00 feet, a chord bearing of South 55°29'22" East, a chord distance of 171.42 feet, and an arc length of 175.46 feet;

THENCE South 55°54'02" West, a distance of 60.00 feet;

THENCE on a reverse curve to the left, having a radius of 175.00 feet, a chord bearing of North 55°29'22" West, a chord distance of 127.65 feet, and an arc length of 130.66 feet;

THENCE North 76°52'46" West, a distance of 74.03 feet;

THENCE along a curve to the right, having a radius of 480.00 feet, a chord bearing of North 62°59'03" West, a chord distance of 230.54 feet, and an arc length of 232.82 feet;

THENCE on a reverse curve to the left, having a radius of 170.00 feet, a chord bearing of North 57°25'14" West, a chord distance of 49.27 feet, and an arc length of 49.44 feet;

THENCE North 65°45'08" West, a distance of 626.93 feet;

THENCE along a curve to the right, having a radius of 1,030.00 feet, a chord bearing of North 57°09'28" West, a chord distance of 307.84 feet, and an arc length of 309.00 feet;

THENCE on a reverse curve to the left, having a radius of 1,070.00 feet, a chord bearing of North 64°04'26" West, a chord distance of 572.27 feet, and an arc length of 579.32 feet;

THENCE North 79°35'04" West, a distance of 131.16 feet;

THENCE along a curve to the left, having a radius of 570.00 feet, a chord bearing of South 79°10'05" West,

a chord distance of 413.13 feet, and an arc length of 422.75 feet;

THENCE South  $57^{\circ}55'16''$  West, a distance of 181.81 feet to a point on the West line of the Southwest Quarter (SW/4) of said Section Thirty-one (31);

THENCE North  $01^{\circ}35'07''$  West, along and with the West line of said Southwest Quarter (SW/4), a distance of 69.63 feet to the POINT OF BEGINNING.

Said tract of land containing 8,232,257 square feet or 188.9866 acres, more or less.