

ORDINANCE NO. 23-51

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF THE SOUTHWEST QUARTER OF SECTION ONE, TOWNSHIP ONE NORTH, RANGE THIRTEEN WEST OF THE INDIAN MERIDIAN, COMANCHE COUNTY, OKLAHOMA, INTO THE CORPORATE LIMITS OF THE CITY OF LAWTON, OKLAHOMA; PROVIDING THAT THE ANNEXED TERRITORY BE ZONED AS “TEMPORARY” I-4 (HEAVY INDUSTRIAL DISTRICT) FOR A PERIOD NOT EXCEEDING ONE (1) YEAR; SUPERSEDING ORDINANCE NO. 22-34; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

Emergency Ordinance

WHEREAS, on December 6, 2022, the Mayor and City Council of the City of Lawton passed and approved Ordinance No. 22-34 to annex the tract of land described in Section 1 and temporarily zoning said tract as I-4 (Heavy Industrial District) zoning classification; and

WHEREAS, on December 6, 2023, the City of Lawton received a petition from the property owners of the tract of land described in Section 1 of this Ordinance, requesting said tract be annexed into the corporate city limits of the City of Lawton; and

WHEREAS, the petitioner seeks approval and confirmation of the annexation of the property prior to the anticipated transfer of property to the Lawton Economic Development Authority, a public trust, for significant economic development.

NOW, THEREFORE, COMING BEFORE the City Council of the City of Lawton, Oklahoma, is the Petition for Annexation filed by the Comanche County Industrial Development Authority (“CCIDA”) as the owners of the territory in reference to the following:

SECTION 1. JURISDICTIONAL FACTS. A Petition for Annexation was filed with the City of Lawton, Oklahoma (“City”), on December 6, 2023, by the Comanche County Industrial Development Authority (“CCIDA”), owners of all (100%) of the following described property. In said Petition for Annexation, CCIDA requested that the City of Lawton add the following described property into the corporate limits of the City:

The Southwest Quarter (SW/4) of Section 1, Township 1 North, Range 13 West, Indian Meridian, situated in Comanche County, Oklahoma, according to the U.S. Government Survey thereof, containing 160 acres.

Notice of the presentation of said Petition for Annexation was published at least once each week for two (2) successive weeks—on December 8, 2023, and again on December 15, 2023—in *The Lawton Constitution*, a newspaper of general circulation in the City. CCIDA, by way of its Petition for Annexation, has properly requested and consented to the annexation of the above-described property to the City. The property petitioned to be annexed is adjacent and contiguous to the City and is currently unimproved.

The City finds the Petition for Annexation satisfies all of the applicable requirements of the Oklahoma Municipal Code, including specifically: that said property is adjacent and contiguous to the corporate limits of the City, is not part of any other incorporated municipality, and is wholly owned by the CCIDA; that the notice of the presentation of said Petition fully complies with Oklahoma law as to form and that said notice has been published consistent with all applicable requirements for annexation set forth in the Oklahoma Municipal Code.

SECTION 2. ANNEXATION. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAWTON, OKLAHOMA, that pursuant to the laws of the State of Oklahoma, and based on the facts and circumstances herein set forth verifying all procedural requirements have been satisfied, the following described property is annexed by the City of Lawton, Oklahoma into the corporate limits of the City and is added to the territory of the City of Lawton, Oklahoma:

The Southwest Quarter (SW/4) of Section 1, Township 1 North, Range 13 West, Indian Meridian, situated in Comanche County, Oklahoma, according to the U.S. Government Survey thereof, containing 160 acres.

The corporate limits of the City of Lawton, Oklahoma, are extended to include for all purposes the above-described parcel of land, and the Mayor is hereby authorized and directed to file and record a duly certified copy of this Ordinance, together with an accurate map or plat of the annexed property, in the office of the Comanche County Clerk and with the Oklahoma Tax Commission, and to take appropriate measures to implement this Ordinance.

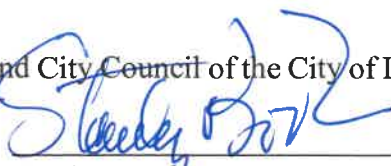
This Ordinance will supersede Ordinance 22-34, previously approved on December 6, 2022.

SECTION 3. ZONING. BE IT FURTHER ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAWTON, OKLAHOMA, that, pursuant to Section 18-1-1-110 of the Code of Ordinances of the City of Lawton, Oklahoma, providing for the temporary assignment of zoning classifications to territory annexed to the City, that the tract of land annexed to the City pursuant to Section 2 of this Ordinance, is classified as “temporary” I-4 (Heavy Industrial District) zoning classification for a period of time not to exceed one (1) year from the effective date of this Ordinance.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

SECTION 5. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of the peace, health, and safety of the City of Lawton, Oklahoma, and the inhabitants thereof that the provisions of this Ordinance be put into full force and effect, 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 AND APPROVED by the Mayor and City Council of the City of Lawton this 29th day of December, 2023.



Stanley Booker, Mayor

ATTEST:



Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 29th day of December, 2023.



Timothy Wilson, Interim City Attorney

PETITION FOR ANNEXATION


We, the undersigned PETITIONER, owners of the property described as the Southwest Quarter of Section 1, T1N, R13W, I.M., Comanche Co., OK), such property being outside the corporate limits of the City of Lawton, Oklahoma, but is now contiguous to the corporate limits do by these presents hereby petition the City of Lawton that said property be annexed into the City of Lawton under Temporary I-4 Heavy Industrial District zoning, pursuant to 11 O.S. §21-105.

I, the undersigned PETITIONER, further petition that the Honorable Mayor and City Council of the City of Lawton, Oklahoma, set a date for the hearing of this petition and adopt an ordinance annexing such property.

Comanche County Industrial Development Authority (CCIDA)


Paul Ellwanger, Chairman

ATTEST:


Secretary

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ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) SS
COUNTY OF COMANCHE)

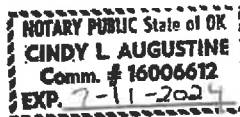
On this 6th day of December, 2023, before me personally appeared Paul Ellwanger, Chairman of Comanche County Industrial Development Authority, known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that they executed the same as their own free act and deed, with knowledge of the contents thereof.

Given under my hand and seal the day and year last above written.


Notary Public

My commission expires:

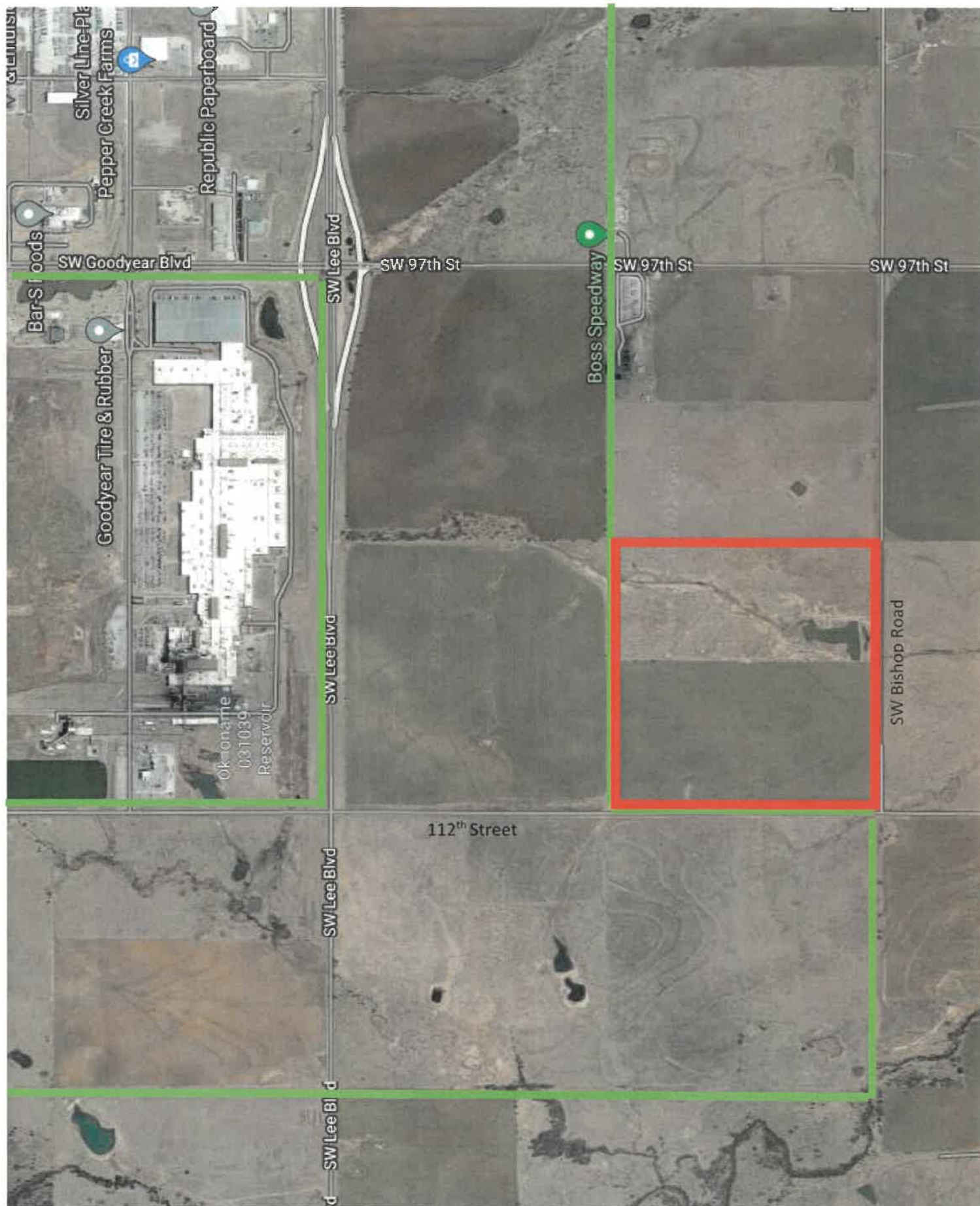
My commission number:



RECEIVED

DEC 06 2023

CITY OF LAWTON
CITY CLERKS OFFICE



NOTICE OF PRESENTATION OF PETITION FOR ANNEXATION
AND
NOTICE OF PUBLIC HEARING FOR ANNEXATION

Notice is hereby given that on December 6, 2023, a petition for annexation signed by the Chairman of the Comanche County Industrial Development Authority (CCIDA) was filed in the Office of the City Clerk of the City of Lawton requesting annexation of certain land owned by CCIDA into the corporate city limits of the City of Lawton. Pursuant to 11 O.S. §21-105, notice is hereby given on behalf of CCIDA to the public of the presentation of the petition to the City of Lawton and that the Lawton City Council will hold a public hearing at 2:00 pm on December 29, 2023, in the Auditorium of City Hall, 212 SW 9th Street, Lawton, Comanche County, Oklahoma, for the following purpose:

To consider an ordinance for annexation of lands into corporate city limits of Lawton as shown on maps filed in the office of the City Planning and described as follows:

The Southwest Quarter (SW ¼) of Section One (1), Township One (1) North, Range Thirteen (13) West, I.M., Comanche County Oklahoma, according to the US Government Survey thereof.

Any parties in interest and any citizens desiring to be heard shall be afforded an opportunity to be heard at such public hearing.

Given under my hand and seal of the City of Lawton, Oklahoma, this 7th day of December, 2023.

CITY OF LAWTON, OKLAHOMA



Donalynn Blazek-Scherler, CITY CLERK

(Published in *The Lawton Constitution* on 8th day of December 2023 and on 15th day of December 2023.)

REC. _____
COMP. _____
MISC. _____
MISC. _____

BOOK 9363 PAGE 203

ORDINANCE NO. 22-34

DOC # I-2023-010022
BK 003363
PG 0203-0205
DATE 07-12-2023 2:03 PM
FILING FEE \$22.00
DOCUMENTARY TAX \$0.00

AN ORDINANCE PROVIDING FOR THE ATTACHMENT OF THE SOUTHWEST QUARTER OF SECTION 1, T1N, R13W, INTO THE CORPORATE LIMITS OF THE CITY OF LAWTON, COMANCHE COUNTY, OKLAHOMA, CLASSIFYING SAID TRACT AS "TEMPORARY" I-4 (HEAVY INDUSTRIAL DISTRICT) ZONING CLASSIFICATION FOR A PERIOD NOT EXCEEDING ONE (1) YEAR, AND DECLARING AN EMERGENCY.

Emergency Ordinance



WHEREAS, on October 13, 2022, the City of Lawton received a petition from the property owners of the tract of land described in Section 1, requesting to be annexed into the corporate city limits of the City of Lawton.

NOW, THEREFORE, be it ordained by the Mayor and City Council of the City of Lawton, Oklahoma, that:

SECTION 1. The city limits of the City of Lawton, Oklahoma, shall constitute and be and include within the limits of said city the following described territory, to-wit:

The Southwest Quarter (SW/4) of Section 1, Township 1 North, Range 13 West, Indian Meridian, situated in Comanche County, Oklahoma, according to the U.S. Government Survey thereof, containing 160 acres.

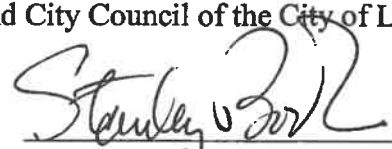
SECTION 2. The city limits of the City of Lawton, Oklahoma, are hereby extended to include for all purposes the above-described parcel of land.

SECTION 3. Said parcel shall be zoned and classified as "temporary" I-4 (Heavy Industrial District) zoning classification for a period of time not exceeding one (1) year from the effective date of this ordinance.

SECTION 4. The Municipal Service and Implementation Plan pursuant to Oklahoma Statute, Title II, Section 21-103, is not necessary due to the fact that annexation was requested by a majority of the property owner.

SECTION 5. Emergency. Whereas, it being immediately necessary for the preservation of the peace, health, and safety of the City of Lawton and the inhabitants thereof that the provisions of this ordinance be put into full force and effect, 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.

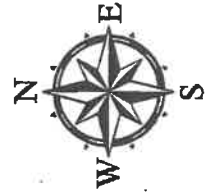
PASSED AND APPROVED by the Mayor and City Council of the City of Lawton this 6th day of December, 2022.


Stanley Booker, Mayor

City of Lawton
212 SW 9th St
Lawton, OK 73501

City of Lawton Ward Boundaries

BOOK 9363 PAGE 205



July 11, 2023

