

RESOLUTION NO. 1668

A RESOLUTION OF NECESSITY TO CONDEMN PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF SOUTH LYNN LANE ROAD AND WASHINGTON STREET IN BROKEN ARROW, OKLAHOMA, LOCATED IN SECTION 14, TOWNSHIP 18 NORTH, RANGE 14 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA, FOR THE 9TH STREET WIDENING: HOUSTON TO WASHINGTON, PARCEL 4.0 (PROJECT NO. ST2027)

WHEREAS, James Steven Fulps, as Personal Representative of the Estates of J. W. Fulps and L.A. Fulps, and Vicki Rae Fulps Barnett a/k/a Vicki Rae Barnett, as Personal Representative of the Estate of Paul F. Fulps, own or otherwise claim some interest in certain real property identified as Parcel 4.0, generally located at the Northwest corner of South Lynn Lane Road and Washington Street in Broken Arrow, OK 74011 in Section 14, Township 18 North, Range 14 East of the Indian Meridian, Tulsa County, Oklahoma; and

WHEREAS, The Broken Arrow City Council desires to acquire the parcel for the public purpose of the 9th Street Widening: Houston to Washington; and

WHEREAS, the real property is legally described as follows:

PARCEL 4.0 PERMANENT RIGHT-OF-WAY:

A parcel of land lying in the Southeast Quarter of Section Fourteen, Township 18 North, Range 14 East, City of Broken Arrow, Tulsa County, State of Oklahoma, said parcel being more particularly described as follows:

Commencing at the Southeast Corner of said Section 14; thence a distance of 24.75 feet, on a bearing of North 01°17'37" West (being the basis of bearings for this description) along the East line of said Southeast Quarter; thence a distance of 24.75 feet, on a bearing of South 88°37'01" West to a point on the present Northerly right-of-way line for East Washington Street same being a line 24.75 feet North of and parallel with the South line of said Southeast Quarter as well as the point of beginning; thence South 88°37'01" West along said present Northerly right-of-way line and parallel line, a distance of 515.25 feet; thence North 01°17'39" West, a distance of 25.25 feet to a point on a line being 50.00 feet North of and parallel with the South line of said Southeast Quarter; thence North 88°37'01" East along said parallel line, a distance of 163.92 feet; thence North 58°45'04" East, a distance of 30.12 feet to a point on a line being 65.00 feet North of and parallel with the South line of said Southeast Quarter; thence North 88°37'01" East along said parallel line, a distance of 259.94 feet; thence North 43°42'21" East, a distance of 35.41 feet to a point on a line being 65.00 feet West of and parallel with the East line of said Southeast Quarter; thence North 01°17'37" West along said parallel line, a distance of 152.22 feet; thence North 88°42'23" East, a distance of 40.25 feet to a point on the present Westerly right-of-way line for South 9th Street same being a line 24.75 feet West of and parallel with the East line of said Southeast Quarter; thence South 01°17'37" East along said Westerly right-of-way and parallel line, a distance of 217.41 feet to the point of beginning.

WHEREAS, the parties hereto have duly entered negotiations for the voluntary purchase the full parcel fee simple, but the negotiations have not been successful; and

WHEREAS, the City is prepared and will tender the full amount of the Commissioners' Award prior to entering into possession.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Broken Arrow, Oklahoma that condemnation is necessary taking for a public purpose to allow for the 9th Street Widening - Houston to Washington project;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Attorney is authorized to initiate a condemnation action.

This Resolution is approved in open meeting by the City Council of the City of Broken Arrow on this 2nd day of June, 2025.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney