

## RESOLUTION NO. 1014

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GENERAL WARRANTY DEED FOR PARCEL 4, WHICH CONSISTS OF 0.48 ACRES OF PERMANENT RIGHT-OF-WAY FOR 23RD STREET WIDENING FROM HOUSTON TO KENOSHA, IN THE NE 1/4 OF SECTION 12, TOWNSHIP 18 NORTH, RANGE 14 EAST, TULSA COUNTY, FROM EAST KENOSHA DEVELOPMENT, LLC, AND AUTHORIZATION OF PAYMENT IN THE AMOUNT OF \$80,000.00 TO EAST KENOSHA DEVELOPMENT, LLC, FOR THE 23RD STREET WIDENING FROM HOUSTON TO KENOSHA PROJECT AND AUTHORIZING STAFF TO APPLY TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF EIGHTY PERCENT OF THE ACQUISITION COST OF THIS PROPERTY FOR THE 23<sup>RD</sup> STREET WIDENING FROM HOUSTON TO KENOSHA PROJECT (PROJECT NO. ST0914)**

**WHEREAS**, the funding for right-of-way acquisition for the 23<sup>rd</sup> Street Widening from Houston to Kenosha project has been approved in the 2014 Streets General Obligation Bond; and

**WHEREAS**, the acquisition of this Real Property is part of an Oklahoma Department of Transportation and Federal Highway Administration program subject to the requirements of the Uniform Relocation Assistance Act, 49 C.F.R. Part 24;

**WHEREAS**, the acquisition of this property is part of the 23<sup>rd</sup> Street Widening Project from Houston to Kenosha (Project No. ST0914) that has been approved for federal Surface Transportation Program (STP) funding, with the cost to be shared 20% by the City of Broken Arrow and 80% by the Oklahoma Department of Transportation; and

**WHEREAS**, the City of Broken Arrow's contract right-of-way agent, Universal Field Services, has negotiated a payment in the amount of \$80,000.00, to East Kenosha Development, LLC, the property owners of parcel 4, which consists of 0.48 acres generally located on the East side of 23<sup>rd</sup> Street and North of the Broken Arrow Expressway; and

**WHEREAS**, it is anticipated that the Oklahoma Department of Transportation will reimburse the City of Broken Arrow \$64,000.00 of the \$80,000.00 acquisition, owner relocation costs and moving expenses;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA, THAT:**

1. The City of Broken Arrow accept the General Warranty Deed for parcel 7 from East Kenosha Development, LLC and authorize payment to East Kenosha Development, LLC in the amount of \$80,000.00.

This Resolution is approved in open meeting by the City Council of the City of Broken Arrow on this 2<sup>nd</sup> day of May, 2017.

ATTEST:

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(seal) CITY CLERK

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MAYOR

APPROVED AS TO FORM:

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ASSISTANT CITY ATTORNEY