

RESOLUTION NO. 1211

A RESOLUTION OF NECESSITY TO CONDEMN PROPERTY GENERALLY LOCATED AT 13600 SOUTH 177TH EAST AVENUE, BROKEN ARROW, IN THE SOUTHWEST QUARTER OF SECTION 12, T-17-N, R-14-E OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA, FOR THE COUNTY LINE TRUNK SEWER REPLACEMENT, (PROJECT NO. S.1609A)

WHEREAS, the Lois Maxine Dark Trust, Martha Chapman Fowler, Josephine Layton and Jeanette Layton, a/k/a Jeanette Van Hoose, own or otherwise claim some interest in certain real property identified as Parcel 1A, located on a tract of land in the Southwest Quarter of Section 12, T-17-N, R-14-E of the Indian Meridian, Tulsa County, Oklahoma; generally located at 13600 S 177th E Avenue, Broken Arrow, Oklahoma; and

WHEREAS, The Broken Arrow City Council desires to acquire a Temporary Construction Easement for the public purpose of completing the County Line Trunk Sewer Replacement Project; and

WHEREAS, this real property is legally described as follows:

PARCEL 1A

TEMPORARY CONSTRUCTION EASEMENT:

A tract of land that is a part of the Southwest Quarter (SW4) of Section Twelve (12), Township Seventeen North (T17N), Range Fourteen East (R14E) of the Indian Meridian, Tulsa County, Oklahoma, more particularly described as follows:

Point of Beginning on the North line of the Southwest Quarter of Section 12, a distance of 641.67 feet from the West Quarter corner of Section 12; Thence along the North line of the Southwest Quarter, N88°46'18"E a distance of 102.41 feet; Thence S11°12'57"W a distance of 288.56 feet; Thence S04°22'22"W a distance of 449.21 feet; Thence S72°02'24"W a distance of 303.17 feet; Thence S28°00'12"W a distance of 300.00 feet; Thence S20°47'21"W a distance of 199.08 feet; Thence S10°17'11"W a distance of 260.89 feet to a point on the East line of a 50' sanitary sewer easement filed as Doc #2009030750 at the office of the Tulsa County Clerk; Thence along the East line of said sanitary sewer easement, being parallel and 74.75 from the West line of said Southwest Quarter of Section 12, N01°13'08"W a distance of 393.76 feet; Thence N20°47'21"E a distance of 96.85 feet; Thence N28°00'12"E a distance of 346.74 feet; Thence N72°02'24"E a distance of 276.58 feet; Thence N04°22'22"E a distance of 388.02 feet; Thence N11°12'44"E a distance of 272.60 feet to the Point of Beginning.

WHEREAS, the parties hereto have duly entered into negotiations for the voluntary purchase of the Temporary Construction Easement in question, 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 in order to allow for completion of the County Line Trunk Sewer Replacement Project;

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

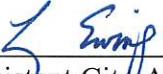
This Resolution is approved in open meeting by the City Council of the City of Broken Arrow on this 7th day of May 2019.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:


Assistant City Attorney