

# RIGHT-OF-WAY AGENT'S REPORT

Property Location:	Parcel No.
A strip, piece or parcel of land lying in Lot 2	13
in Wagoner	Job Piece No.
County, Oklahoma	City
Section 31	Project No.
T 19N	
R 15E	

NOT SECURED

If estate, indicate status:  Probated  Not Probated  Pending in Court

FEE OWNERS (S)	ADDRESS/TELEPHONE NUMBER
Phillips 66 Company, a Delaware corporation	<b>Mailing Address</b> P.O. Box 5600, Bartlesville, OK 74005

**Physical Address**  
588-04 Phillips Building  
420 South Keeler  
Bartlesville, OK 74003-6670

**Contact**  
Matt Dowdell  
918-977-5143  
Matt.R.Dowdell@p66.com

LEGAL ENTRY LETTER SECURED N/A

MORTGAGES: (including taxes, assessments and judgments)

**None**

TENANT: (including type, terms, and date of lease) Secured on N/A

**None**

THE TENANT WAS GIVEN A PROPERTY RIGHTS BROCHURE: N/A  
THE TENANT WAS GIVEN THE RAP BROCHURE AND 90 DAYS WRITTEN NOTICE TO VACATE: N/A

<b>AUTHORIZED NEGOTIATION AMOUNT</b>		<b>OFFER</b>	<b>REVISED OFFER</b>	<b>SETTLEMENT OFFER</b>
	Original	Revised		
Parcel 13	<u>13,394.95</u>	SQFT <u>N/A</u> SQFT	<u>\$38,176.00</u>	
Parcel 13.1	<u>775.28</u>	SQFT <u>N/A</u> SQFT	<u>\$442.00</u>	
Parcel 13A	<u>6,649.94</u>	SQFT <u>N/A</u> SQFT	<u>\$14,214.00</u>	

#### TYPE OF FENCE:

Access Control Fence	NO
City to Fence with 5-Wire Barb	NO
City to Fence with Woven Wire	NO
City to Fence with chain link	NO
<b>Owner Compensated for Fence</b>	<b>YES</b>

**CROSS FENCE:** 24 LF C/L 3-SBW Fence \$660.00

8 LF C/L 3-SBW Fence \$220.00

**IMPROVEMENTS:** 705 SQFT Gravel Paving \$1,269.00

**DAMAGES:** 432.5 LF C/L 3-SBW Fence \$11,885.00

2- C/L 3-SBW Entry Gates \$1,781.00

350 SQFT Gravel Paving \$630.00

**BUY OUT OFFER TOTAL:** \$69,300.00 RD

**Supplemental Housing Payment** \$ N/A

I certify that all secured agreements, if any, including deeds, easements, claims, or correspondence, embody all considerations agreed upon. The agreement was reached without coercion; promises, other than those shown in the agreement; or threats of any kind; by or to either party. It is understood that the parcels are to be secured for use in connection with a Federal Aid or State Aid highway project and that I have no direct or indirect present or contemplated future personal interest in the parcels or in any benefit from the acquisition of such property and that I made a final title check immediately prior to closing out the negotiations on the parcel.

  
\_\_\_\_\_  
Addison Dunford, Right-of-Way-Agent      9/12/24      Date

  
\_\_\_\_\_  
Mark Bilyeu, Project Manager      9/12/24      Date

THE PROPERTY OWNER WAS  
GIVEN OFFER IN WRITING AND  
PROPERTY RIGHTS BROCHURE

DATE 4/3/2024

THE PROPERTY OWNER WAS  
GIVEN RAP BROCHURE

DATE N/A

THE PROPERTY OWNER WAS  
GIVEN WRITTEN REVISED OFFER

DATE N/A

List dates and places of contacts, persons contacted (by phone, in person or by mail, persons present, offer made, counter offer, amount asked by owner), reasons settlement could not be reached and any additional information that might have any bearing on the settlement or condemnation.

DATE	
1/24/2024	Title investigation report completed and Notice of Interest Letter sent to property owner.
1/24/2024	Notice to proceed provided to the appraiser.
2/9/2024	I spoke with the appraiser and provided him with a copy of the Warranty Deed to be included within the report.
2/9/2024	I sent an update to the City of Broken Arrow letting them know the appraisers are wrapping up their reports and sending them to the review appraiser today. I asked for a copy of the utility easement and temp construction easement that the City would like me to use.
2/19/2024	I received the appraisal review back from the review appraiser.
2/28/2024	The offer letter was prepared and sent to the City of Broken Arrow for review, approval and signature.
4/2/2024	I followed up with the City regarding the Signed Offer Letters. John with the City called and let me know he had just received the signed offer letters by the City Manager and emailed me the signed offer letters to proceed with making offers.
4/3/2024	I checked title and found no changes. Offer Made in the amount of \$69,300.00 via certified mail. Included with the offer letter was a copy of the exhibits and a property rights brochure.
4/15/2024	I received an email from Matt Dowdell with Phillips 66 in response to the offer letter they received. Matt stated that they were looking at an environmental assessment in this area, however, last he knew it had not been completed. Matt said he was going to check on it and get back with me.
4/23/2024	I sent a follow up email to Matt asking if he had any questions I could answer regarding their offer or if I could provide any additional project information. I offered to have an onsite meeting at the property if they have a local representative they would like to attend.
4/24/2024	I received an email from Matt stating that before they can move forward, they need a commitment from the City of Broken Arrow to fund or reimburse them for Environmental Work and the removal of two abandoned service lines.
4/25/2024	I replied to Matt asking him if he could provide me with documentation that shows the location of the lines referenced in the attachments of his previous email.
4/25/2024	I spoke with John Windlow at the City of Broken Arrow. John asked that I forward him my correspondence with Phillips 66. I did.
5/9/2024	I provided John with the City of Broken Arrow a map provided by Phillips 66 showing the lines they are seeking compensation for are not within the proposed right of way. I asked for direction on how the City would like me to reply to Phillips 66 request.
5/20/2024	I spoke with John at the City of Broken Arrow regarding the property owners request to be compensated to remove abandoned service lines that are NOT in the proposed right of way. He said they had not yet began looking at this request and would do so this week.

6/17/2024	I sent a follow up email sent to John at the City of Broken Arrow asking if there has been a determination on how the City would like to proceed with this Parcel.
7/1/2024	I received an email from John Windlow at the City of Broken Arrow with an answer to Phillips 66 request for compensation to remove abandoned service lines that are outside of the acquisition area. The City of Broken Arrow has denied this request. At the City's request, I provided the City of Broken Arrow with a new copy of the appraisal and appraisal review that was completed in February of this year.
7/9/2024	I called and left a voicemail with Matt (CBRE) and asked him to call me back at his earliest convenience.
7/19/2024	I called and left a voicemail with Matt (CBRE) and asked him to call me back at his earliest convenience.
7/25/2024	I called and left a voicemail with Matt (CBRE) and asked him to call me back at his earliest convenience.
7/31/2024	I spoke with John Windlow at the City of Broken Arrow. He called to let me know that Matt was no longer working with Phillips 66 and took a job at a private law firm. John provided me with Matt's new contact information so that I could reach out and request the new contact person for this transaction.
8/2/2024	I called the number the City of Broken Arrow provided for Matt Dowdell which was for his new law firm. The secretary who answered the phone said he was not in their directory, and she did not know who she was.
8/5/2024	I sent Matt an email to his new email address asking for any contact information he could provide me for the individual who took over this project.
8/7/2024	I was able to speak with Matt and he let me know that he has not left Phillips 66. I emailed him that The City of Broken Arrow has gotten back to me on Phillips 66's request for funding/reimbursement for the removal of two abandoned service lines and environmental testing. The City will not reimburse Phillips 66 as the pipelines do not fall within the boundaries of Parcels 13.0, 13A, and 13.1. Additionally, the City does not view reimbursement for these lines as a requirement of the transaction. The offer still stands and the City is willing to entertain a monetary counter offer if Phillips 66 wishes to submit one.
8/13/2024	I sent a follow up email to Matt confirming he received my previous email.
8/14/2024	I received the following from Matt: I have received your e-mail. I have sent the City's response to the necessary decision makers at P66. One question they have asked is, this is clearly only in regard to one portion of the project that effects a P66 asset. It was our intention to deal with the entirety of the project and all affected P66 assets. What is the status of the other portions of the project and their reimbursement of those.
8/15/2024	I forwarded the email from Matt to John at the City. I spoke with John Windlow at the City regarding the email I had forwarded, and John asked that I seek clarity from Matt on what Phillips 66 means by their question.
8/20/2024	I spoke with Matt Dowdell. I explained to him that the offer was only for the needed right of way and not for any removals of service lines. He thanked me for the clarification and said that we had a meeting today with the "higher ups" that would ultimately be making the decision to sign the paperwork. He asked about receiving a copy of the City's environmental. I asked him to put that request in writing and email it to me.
8/20/2024	I spoke with John at the City and updated him on my conversation with Matt. He said that he would have to speak with others at the City before agreeing to provide the environmental. He also told me that the City was considering removing the service lines themselves and not having Phillips 66 do the work to expedite the process. He asked me not to share this with Phillips 66 at this time.
8/23/2024	I provided the official written request for the environmental to John.
8/28/2024	I spoke with John about the environmental request made by Phillips 66. ODOT has not yet completed the environmental so this cannot be a contingency on Phillips 66 signing the documents. I asked if just the Utility Easement would be of benefit so that the City could move forward with the Utility Relocation for the Project while we continue negotiations. John said to proceed with requesting a Utility Easement.
8/28/2024	I called Matt Dowdell and left a voicemail asking him to call me.
8/28/2024	I received a call from John at the City letting me know that his boss said not to pursue the utility easement. John asked that we proceed with condemnation on this Parcel.
8/29/2024	I called Matt Dowdell and left a voicemail letting him know that the City providing the environmental cannot be a contingency of Phillips 66 signing the documents. I also let him know that I have been asked to submit this Parcel for condemnations. Lastly I told him he could call me back should he have any questions or if Phillips 66 wished to execute the documents. I checked title and found no changes.

**PARCEL NOT SECURED**