

**RESOLUTION NO. 1749**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE PURCHASE OF REAL PROPERTY BY AND BETWEEN THE BROKEN ARROW MUNICIPAL AUTHORITY AND THE OKLAHOMA TURNPIKE AUTHORITY FOR THE PURCHASE OF PROPERTY GENERALLY LOCATED EAST OF SOUTH ELM PLACE AND NORTH OF THE CREEK TURNPIKE IN BROKEN ARROW, OKLAHOMA, IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 18 NORTH, RANGE 14 EAST, TULSA COUNTY, OKLAHOMA, AND AUTHORIZATION OF PAYMENT IN THE AMOUNT OF \$189,100.00 TO EFFECT THE PURCHASE THEREOF.**

**WHEREAS**, representatives of the Broken Arrow Municipal Authority (BAMA) approached the Oklahoma Turnpike Authority (OTA), with a proposal to purchase approximately 6 acres of real property generally located east of South Elm Place and north of the Creek Turnpike situated in the Southwest Quarter of Section 35, Township 18 North, Range 14 East, Indian Meridian, Tulsa County, Oklahoma, for a potential future elevated tank site; and

**WHEREAS**, the property consists of approximately 6 acres of real property and OTA has declared 4.56 of the acreage as surplus; and

**WHEREAS**, OTA has agreed to sell the real property for the sum of \$189,100.00; said purchase price being reasonable and supported by a fair market value appraisal of the real property to be obtained; and

**WHEREAS**, upon the terms and conditions set forth herein, OTA desires to sell and the Broken Arrow Municipal Authority agrees to purchase the real property; and

**WHEREAS**, the Broken Arrow Municipal Authority (BAMA) deems it appropriate to approve the execution and delivery of an Agreement for the purchase and sale of Real Property and has determined such actions are in the best interests of the city and the health, safety and welfare of the city and residents within and near the city; and

**WHEREAS**, BAMA deems it appropriate to authorize the purchase of the Real Property, and the expenditure of the sum of \$189,100.00 for said purchase

**NOW THEREFORE BE IT RESOLVED BY THE BROKEN ARROW MUNICIPAL AUTHORITY, THAT:**

1. The Agreement for the Purchase and Sale of Real Property is hereby approved, authorized and accepted and shall be executed substantially in the form thereof submitted at the meeting at which this Resolution was approved and as finally approved by the Chairperson, and shall be executed for and on behalf of BAMA by the Chairperson, and attested by the City Clerk, and for and on behalf of the other parties thereto by their respective authorized officers. The Agreement for the Purchase and Sale of Real Property in the form to be so approved is hereby authorized for execution and delivery, subject to such minor changes,

insertions and omissions and such filling of blanks therein as may be approved and made in the form thereof by the officer of BAMA executing the same pursuant to this Section.

2. BAMA is hereby authorized to close the purchase and sale of the Real Property pursuant to the Contract for Sale of Real Estate, to acquire the Real Property for and on behalf of BAMA and to execute and deliver, for and on behalf of BAMA, all necessary instruments and agreements reasonably required in connection therewith, following their approval by the City Attorney (whose approval need not be endorsed thereon).
3. BAMA is hereby authorized to expend the sum of \$189,100.00, for such acquisition and is authorized to expend monies for all closing costs and any other cost related to purchase and closing of this transaction including, but not limited to, the earnest payment.
4. The Chairperson is hereby further authorized to approve (upon the recommendation of the City Attorney) the final forms of the closing and purchase of the Real Property, and minor changes, insertions and deletions therein, as well as in the form and content of this Resolution, at any time prior to the execution and delivery of the Agreement, with any changes in the form or content of this Resolution to be evidenced by a written supplement hereto which shall be executed by the Chairperson and which shall evidence the written prior approval of the City Attorney endorsed thereon, and the signature of the Chairperson on such supplement shall be conclusive evidence of the approval thereof by BAMA pursuant to and under BAMA given under this Section 4.
5. It is the intention of BAMA that the City Manager and City Officers shall, and they are hereby *ex officio* authorized and directed to, do any and all lawful acts and deeds to effectuate and carry out the provisions and the purposes of this Resolution for the Agreement and the acquisition of the Real Property and such other instruments and documents as are related thereto, in each case following their approval by the City Attorney (whose approval need not be endorsed thereon).
6. All prior transfers made in connection with the preparations for the purchase of the Real Property, including without limitation, those made for the payment of legal services, escrow payments, engineering fees and costs, surveys, appraisals, inspection, and exemption payments are hereby ratified.

Approved and authorized by the Broken Arrow Municipal Authority on this 1st day of June, 2026.

BROKEN

ARROW MUNICIPAL AUTHORITY

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Chairperson

ATTEST: (SEAL)

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City Clerk

APPROVED AS TO FORM AND LEGALITY:

*D. Graham Parker*  

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Assistant City Attorney