

**RESOLUTION NO. 1084**

**APPROVAL OF AND AUTHORIZATION TO EXECUTE RESOLUTION NO. 1084, A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GENERAL WARRANTY DEED FOR PARCEL 11, WHICH CONSISTS OF 0.25 ACRES OF PERMANENT RIGHT-OF-WAY FOR 23<sup>RD</sup> STREET, HOUSTON TO KENOSHA, IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 18 NORTH, RANGE 15 EAST, AT THE INTERSECTION OF 23<sup>RD</sup> STREET AND ARCHDALE STREET, FROM DONALD N. STACEY, AND AUTHORIZE PAYMENT IN THE AMOUNT OF \$ 100,000.00, FOR THE 23<sup>RD</sup> STREET WIDENING FROM HOUSTON TO KENOSHA PROJECT (PROJECT NO. ST0914)**

**WHEREAS**, the right-of way acquisition for the 23<sup>rd</sup> Street, Houston to Kenosha Widening project 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 of \$100,000.00 with Donald N. Stacey, the property owner of parcel 11, which consists of 0.25 acres generally located on W/2 of Lot 6, Block 2, Angus Acres, a subdivision of Lot 1, Section 7, Township 18 North, Range 15 East, on the northeast corner of 23<sup>rd</sup> Street at Archdale Street; and

**WHEREAS**, in accordance with a February 10, 2014 Project Construction, Maintenance, Utility Relocation and Right-of-Way Agreement between the Oklahoma Department of Transportation and the City of Broken Arrow, the City will make the payment to the property owners and thereafter apply for reimbursement to the Oklahoma Department of Transportation for 80% of the purchase cost. The City of Broken Arrows funding for its share of the right-of-way cost will be from the 2014 Streets GO Bond.

**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 Warranty Deed for parcel 11 from Donald N. Stacey and authorize payment in the amount of \$ 100,000.00 to Donald N. Stacey and the City of Broken Arrow make application to the Oklahoma Department of Transportation for reimbursement 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 6<sup>th</sup> day of February, 2018.

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
(seal) City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Assistant City Attorney