

RESOLUTION NO. 1142 - CORRECTED

A RESOLUTION OF NECESSITY TO CONDEMN PROPERTY LOCATED IN THE SW/4 OF SECTION 17, T-18-N, R-14-E OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA, FOR THE WASHINGTON STREET IMPROVEMENTS, GARNETT TO OLIVE, (PROJECT NO. ST1616)

WHEREAS, Vicki McBride, own or otherwise claim some interest in certain real property identified as Parcels 3, 3A, located on a tract of land in the SW/4 of Section 17, T-18-N, R-14-E of the Indian Meridian, Tulsa County, Oklahoma; generally located east of Garnett and north of Washington, Broken Arrow, Oklahoma; and

WHEREAS, The Broken Arrow City Council desires to acquire this property for the public purpose of completing the Washington Street Improvements – Garnett Road to Olive Avenue Project; and

WHEREAS, this real property is legally described as follows:

PARCEL 3:

PERMANENT RIGHT-OF-WAY:

A tract of land that is a part of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW/4 SE/4 SW/4) of Section 17, Township 18 North, Range 14 East of the Indian Meridian, Tulsa County, Oklahoma, more particularly described as follows:

Commencing at the Southwest Corner of Section 17, Township 18 North, Range 14 East, Tulsa County; thence along the south line of the SW/4 of Section 17, North 88°41'38" East a distance of 1330.79 feet to the Southwest corner of a tract of land described in a General Warranty Deed filed as Document #2006036718 at the office of the Tulsa County Clerk; thence along the west line of said General Warranty Deed, North 02°00'54" West a distance of 80.00 feet to the Point of Beginning; thence parallel with the south line of the SW/4 of Section 17, North 88°41'38" East a distance of 99.84 feet; Thence South 25°45'12" East a distance of 32.95 feet; thence North 88°41'38" East a distance of 83.97 feet to a point on the east line of said General Warranty Deed; thence along said east line, North 01°18'22" West a distance of 15.00 feet; thence South 88°41'38" West a distance of 27.25 feet; thence North 67°31'58" West a distance of 86.82 feet; thence South 88°41'38" West a distance of 90.99 feet; thence South 02°00'54" East a distance of 20.00 feet; to the Point of Beginning, containing 4,331 square feet or 0.0994 acres, more or less.

Bearings based on Oklahoma State Plane Grid Zone North

PARCEL 3A:

TEMPORARY CONSTRUCTION EASEMENT:

A tract of land that is a part of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW/4 SE/4 SW/4) of Section 17, Township 18 North, Range 14 East of the Indian Meridian, Tulsa County, Oklahoma, more particularly described as follows:

Commencing at the Southwest Corner of Section 17, Township 18 North, Range 14 East, Tulsa County; thence along the south line of the SW/4 of Section 17, North 88°41'38" East a distance of 1527.25 feet to the Southeast corner of a tract of land described in a General Warranty Deed filed as Document #2006036718 at the office of the Tulsa County Clerk; thence along the east line of said General Warranty Deed, North 01°18'22" West a distance of 65.00 feet to the Point of Beginning; thence South 88°41'38" West a distance of 27.25 feet; thence North 67°31'58" West a distance of 37.21 feet; thence North 88°41'38" East a distance of 61.30 feet; thence South 01°18'22" East a distance of 15.00 feet to the Point of Beginning, containing 664 square feet, 0.0152 acres, more or less.

Bearings based on Oklahoma State Plane Grid Zone North

WHEREAS, the parties hereto have duly entered into negotiations for the voluntary purchase of the land 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 Washington Street Improvements – Garnett Road to Olive Avenue Project;

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

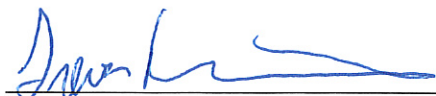
This Resolution is approved in open meeting by the City Council of the City of Broken Arrow on this 5th day of November 2018.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney

Acting