

**RESOLUTION NO. 1013**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROKEN ARROW ACCEPTING AND ACKNOWLEDGING PASSAGE AND RECEIPT OF A RESOLUTION OF THE BOARD OF EDUCATION OF INDEPENDENT SCHOOL DISTRICT NO. 3 OF TULSA COUNTY, OKLAHOMA, DEDICATING REAL PROPERTY, UTILITY EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR PUBLIC STREET PURPOSES, AND DECLARING CERTAIN PROPERTY LOCATED ON TRACTS OF LAND NEAR 9TH STREET AND DETROIT AND 9TH STREET AND HOUSTON, BROKEN ARROW, OKLAHOMA, DEDICATED TO PUBLIC USE AS A PUBLIC STREET**

**WHEREAS**, Independent School District No. 3 of Tulsa County, Oklahoma (“School District”) owns tracts of land located at 9<sup>th</sup> Street and Detroit and 9<sup>th</sup> Street and Houston, Broken Arrow, Oklahoma 74011 (“School Sites”);

**WHEREAS**, the School District by Resolution dated April 10, 2017, expressed its intent to cause certain property located on the School Sites to be dedicated as a public street and to become part of the City’s public street system to be owned, maintained and operated by the City; and

**WHEREAS**, pursuant to 11 O.S. § 36-413, the governing body of a school district is authorized to adopt a resolution dedicating any lands owned by it to the public for public use as a public street or avenue; and

**WHEREAS**, pursuant to 11 O.S. § 36-413, the City Council is authorized to adopt a Resolution declaring land from a board of education dedication to public use as a public street or avenue.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the property described on the attached Exhibits “Parcel 24” and “Parcel 34”, with accompanying temporary construction easements and utility easements described on the attached Exhibits “Parcel 24.1, 24.2, 34.1 and 34.2” were dedicated to the City of Broken Arrow as right-of-way, utility easements and temporary construction easements for public street purposes pursuant to a Resolution approved by the School District on April 10, 2017, pursuant to 11 O.S. § 36-413;
2. The City Council hereby accepts and acknowledges passage of this Resolution and hereby declares the property located at the School Sites is dedicated to public use as a public street.

3. The Mayor, the City Manager and City Staff are hereby authorized and directed to execute and record this Resolution in the records of the County Clerk of Tulsa County, Oklahoma, and to execute and deliver any other and further instruments as may be necessary to effectuate the dedication described herein.

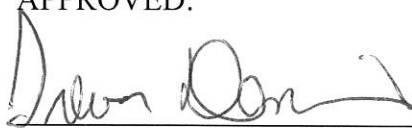
This Resolution approved in open meeting by the City Council of the City of Broken Arrow on this 18<sup>th</sup> day of April, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

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(SEAL) City Clerk

APPROVED:



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Deputy City Attorney