



November 10, 2015

Mr. & Mrs. Tracy Hefley
PO Box 1204
Broken Arrow, 74013

RE: 9TH STREET WIDENING ELGIN TO EL PASO-PROJECT # ST1210
PROPERTY ADDRESS: 131 North 9th Street

Dear Mr. & Mrs. Hefley:

This letter is to notify you that the City of Broken Arrow has completed the design phase and is beginning the right-of-way acquisition phase on the above referenced project. Based on the design plan, it has been determined that property you may own or have an interest in could be affected by the new right-of-way requirements.

Widening South 9th Street (177th E. Ave, S. 9th St) from East Houston Street (E. 81st St South) to north of East Elgin Place is a street improvement funded by 2011 and 2014 General Obligation Bonds for Streets. The bonds have been sold for engineering, right-of-way and relocation of utilities. Bonds will be sold for construction in a future sale.

The project will start at the intersection of South 9th Street and Houston Street and end just north of Elgin Place. South 9th Street will be widened from the current two (2) to five (5) lanes; creating four (4) through drive lanes and a continuous left-turn lane. Five (5) foot wide sidewalks will be constructed on both sides of the street. In most areas, a grassed area will be left between the sidewalk and the right-of-way line when construction is completed.

Improvements also include curbs, gutters and underground storm sewers, increasing the total roadway width from the current twenty-four (24) feet to approximately fifty-eight (58) feet. The roadway improvements may require the acquisition of additional permanent right-of-way, utility easements and temporary construction easements. A map showing the proposed roadway imprint is enclosed with this letter.

Respectfully,
CITY OF BROKEN ARROW

Pam Drake
Right-of-Way Agent

enc



May 31, 2016

Mr. & Mrs. Tracy Hefley
PO Box 1204
Broken Arrow, 74013

Dear Mr. & Mrs. Hefley:

RE: 9TH Street Widen Elgin to El Paso-ST1210-Parcel #6, 6.1

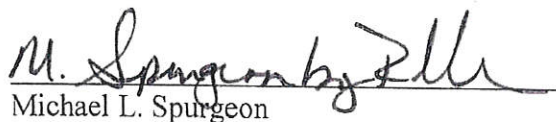
The City of Broken Arrow has completed the design phase and is beginning the right of way acquisition phase on the above named project. An appraisal from Mr. John Story has been delivered and reviewed by City staff. Additionally, I wanted to introduce myself to you as Broken Arrow's Contracted Right of Way Agent. With a fair market value for the portion to be acquired now completed, the City is able to place a fair market value on the acquisitions and make an offer to you. The following offer is being made by the City subject to City Council approval:

Permanent Right of Way: 634 sq. ft. @ \$3.00/sq. ft. = \$1,902
Permanent Utility Easement: 620 sq. ft. @ \$3.00/sq. ft. X 75% = \$1,395
Temporary Construction Easement: 620 sq. ft. @ \$3.00/sq. ft. X 25% = \$465
Damages = \$12,388
Total Just Compensation Amount (Rounded) = \$16,150

Enclosed you will find a "Donation Certificate". Donations assist the City in its efforts to make infrastructure improvements. Please indicate on the form your decision to convey this right of way and utility easement either by donation (a) or by receiving compensation (b) and sign.

By your signature on this letter you have accepted the City's offer of \$16,150.00. Please return all documents to my attention for further processing. Please contact Mike Craddock if you have any questions about this offer. His direct number is 918-605-1436. Please respond within 14 days of receipt of this letter.

Respectfully,
CITY OF BROKEN ARROW


Michael L. Spurgeon

AMY HEFLEY

MLS/klp

TRACY HEFLEY

enc

DONATION CERTIFICATE

Project: ST1210 County: Tulsa State: OK Parcel: 6, 6.1

I, the undersigned, certify that I am fully aware of the use of this parcel of property for the following purpose:

- a. As a permanent right-of-way
- b. As a permanent easement
- c. As a temporary construction easement

--

I, hereby, elect to convey use of this parcel of property to the City of Broken Arrow, Oklahoma by:

- a. **Donation**
- b. **Sale**

NOTE: (Owner (s) / signer (s) enter initials in appropriate brackets)

<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Agent Signature	<u>Acquisition Agent</u> <hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Title	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Date
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<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Signature	<u>Amy Hefley</u> <hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/>	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Date
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<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Signature	<u>Tracy Hefley</u> <hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/>	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Date
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May 31, 2016

Mr. & Mrs. Tracy Hefley
PO Box 1204
Broken Arrow, 74013

*6-15-16
Met w/ Hefleys
@ Property
Tom + Scott*

Dear Mr. & Mrs. Hefley:

RE: 9TH Street Widen Elgin to El Paso-ST1210-Parcel #6, 6.1

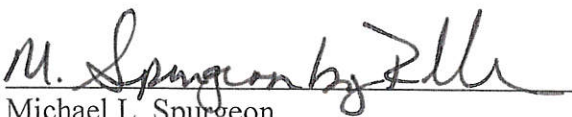
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Respectfully,
CITY OF BROKEN ARROW


Michael L. Spurgeon

AMY HEFLEY

MLS/klp

TRACY HEFLEY

enc

Pax, Karen

From: Mike Craddock <mikec@first-commercial.com>
Sent: Monday, July 25, 2016 2:59 PM
To: Schwab, Kenneth; Hendrix, Tom; Bigby, Jeff; Westfall, Jeff; Pax, Karen
Subject: FW: 131 N 9th st proposal

Here is the response to our meeting with the Hefley's.

Mike Craddock
Terra Acquisition Services
918-605-1436

8301 East 74th Place
Tulsa, OK 74133

From: Amy Hefley [mailto:amyhefley@gmail.com]
Sent: Monday, July 25, 2016 2:43 PM
To: Mike Craddock <mikec@first-commercial.com>
Subject: FW: 131 N 9th st proposal

Tracy & Amy Hefley
1300 Elmira Place
Broken Arrow, OK 74012
amyhefley@gmail.com (918) 810-2234
tracyhefley@gmail.com (918) 407-3300

July 25, 2016

City of Broken Arrow
485 North Poplar Avenue
PO BOX 610
Broken Arrow, OK 74013-0610

Attn.: Mr. Mike Craddock
(918) 605-1436

Subj.: Proposed Disposition of 131 N. 9th. Street
Broken Arrow, OK 74012

Dear Mr. Craddock,

Our apologies for the delayed proposal for the subject property. Following our meeting with you and Mr. Jeff Westhall at the property a few weeks ago. We understand that the widening of Lynn Lane will place the front porch very close to the road; that there will be no room for a driveway and the street noise will be intolerable. The visibility for a driver turning left on Lynn Lane from College will be limited. Further, we are concerned that we would be encroaching on new easement-rights in the rear and sides of the house. Also, about two-thirds of the back yard will be cement driveway and lose the back yard space for our current tenants use for their dogs.

This rental house produces revenue for us and these changes will make it considerably less valuable, less attractive to renters and leave us with a considerable loss in revenue. It also decimates the resale value.

However, we began to obtain cost-estimates from the contractors of concrete, fence erection and landscapers for eliminating the driveway in the front of the house and moving the entrance to the side of the property facing College Street.. Initial results will require us to tear down the current fence and gate, remove all of the cement from rear driveway and redesign and replace it, tear down the partial wall next to current back entrance in to order to widen the driveway enough to get vehicles through the gate, and take down the built in swing and storage building losing all of our landscaping and the wishing well. Also, there is a very large tree that would require removal before we could proceed with a backyard driveway.

It will be required to install a new, wider tinhorn, wider double gate, widen the back drive, pour concrete driveway and turnabout (required so that cars are not expected to try to back out onto busy College Street), rebuild the gate entrance and the fence, run electric out to the gate with a new gate opener. We would be required to build a privacy fence like what is already there for the "new back yard" area. Also, there is concern that the road on College St. floods when it rains and may interfere with rear driveway access.

We propose that the City of Broken Arrow purchase the house and property for \$113,000, what it cost us to purchase the house originally. We are out of pocket \$11,431.11 in repairs to the bathrooms, plumbing, electrical, fence and gate installation and repair, roof repairs and to dispose of what the previous owners left behind in storage and garage.

We believe this is a reasonable solution for both the City of Broken Arrow and us. Otherwise, the value of the property will diminish and leave us with a considerable loss in value.

Please contact us if there are any questions.

Respectfully,

Tracy and Amy Hefley



December 13, 2016

Mr. & Mrs. Tracy Hefley
PO Box 1204
Broken Arrow, OK 74013

Dear Mr. & Mrs. Hefley:

RE: 9TH Street Widen Elgin to El Paso-ST1210-Parcel #6, 6.1

The City of Broken Arrow has completed the design phase and is beginning the right of way acquisition phase on the above named project. An appraisal from Mr. John Story has been delivered and reviewed by City staff. Additionally, I wanted to introduce myself to you as Broken Arrow's Contracted Right of Way Agent. With a fair market value for the portion to be acquired now completed, the City is able to place a fair market value on the acquisitions and make an offer to you. The following offer is being made by the City subject to City Council approval:

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Respectfully,
CITY OF BROKEN ARROW

Michael L. Spurgeon
Michael L. Spurgeon
City Manager

AMY HEFLEY

TRACY HEFLEY

MLS/KMW

enc

Rejected
Rejected
Rejected
Rejected

PARCEL 6
OWNER: WAGNER, KRISTIAN B. AND MONICA L.
REAL PROPERTY LEGAL DESCRIPTION

Rejected

A TRACT OF LAND THAT IS PART OF LOT ONE (1), BLOCK TWO (2), LEMON ADDITION, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS THE NORTHWEST CORNER OF LOT 1, BLOCK 2, LEMON ADDITION; THENCE NORTH 88°46'52" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1 FOR 20.00 FEET; THENCE SOUTH 22°15'08" WEST FOR 32.71 FEET; THENCE SOUTH 1°10'07" EAST PARALLEL WITH THE WESTERLY LINE OF SAID LOT 1 FOR 32.67 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 1; THENCE SOUTH 88°46'52" WEST ALONG SAID SOUTHERLY LINE OF LOT 1 FOR 7.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 01°10'07" WEST ALONG SAID WESTERLY LINE OF LOT 1 FOR 62.67 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 634 SQUARE FEET OR 0.015 ACRES, MORE OR LESS.

REAL PROPERTY CERTIFICATION

I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

SISEMORE WEISZ & ASSOCIATES, INC.
BY DEAN ROBINSON

DATE

DEAN ROBINSON
PLS No. 1146, STATE OF OKLAHOMA
C. A. NO. 2421
EXPIRES: 6/30/15

Rejected

Rejected

Parcel 6

Parcel Map Check Report

Date: 12/18/2013 1:45:05 PM

Parcel Name: PARCEL 6

North:391,050.7173'

East:2,624,824.3803'

Segment# 1: Line

Course: N88° 46' 52"E

Length: 20.000'

North: 391,051.1428'

East: 2,624,844.3757'

Segment# 2: Line

Course: S22° 15' 08"W

Length: 32.706'

North: 391,020.8725'

East: 2,624,831.9905'

Segment# 3: Line

Course: S1° 10' 07"E

Length: 32.670'

North: 390,988.2093'

East: 2,624,832.6568'

Segment# 4: Line

Course: S88° 46' 52"W

Length: 7.000'

North: 390,988.0604'

East: 2,624,825.6584'

Segment# 5: Line

Course: N1° 10' 07"W

Length: 62.670'

North: 391,050.7174'

East: 2,624,824.3802'

Perimeter: 155.046'

Area: 633.69Sq.Ft.

Error Closure: 0.0001

Course: N37° 55' 01"W

Error North : 0.00005

East: -0.00004

Precision 1: 1,550,460.000

PARCEL 6.1
OWNER: WAGNER, KRISTIAN B. AND MONICA L.
PERPETUAL UTILITY EASEMENT & TEMPORARY
CONSTRUCTION EASEMENT LEGAL DESCRIPTION

Revised

A TRACT OF LAND THAT IS PART OF LOT ONE (1), BLOCK TWO (2), LEMON ADDITION, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT THAT IS THE NORTHWEST CORNER OF LOT 1, BLOCK 2, LEMON ADDITION; THENCE NORTH 88°46'52" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1 FOR 20.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE SOUTH 1°10'07" EAST PARALLEL WITH THE WESTERLY LINE OF SAID LOT 1 FOR 62.67 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 1; THENCE SOUTH 88°46'52" WEST ALONG SAID SOUTHERLY LINE OF LOT 1 FOR 13.00 FEET; THENCE NORTH 01°10'07" WEST PARALLEL WITH SAID WESTERLY LINE OF LOT 1 FOR 32.67 FEET; THENCE NORTH 22°15'08" EAST TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 620 SQUARE FEET OR 0.014 ACRES, MORE OR LESS.

REAL PROPERTY CERTIFICATION

I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

Revised

SISEMORE WEISZ & ASSOCIATES, INC.
BY DEAN ROBINSON

DATE

DEAN ROBINSON
PLS No. 1146, STATE OF OKLAHOMA
C. A. NO. 2421
EXPIRES: 6/30/15

Parcel 6.1

Parcel Map Check Report

Date: 12/18/2013 1:47:16 PM

Parcel Name: PARCEL 6.1

North: 391,051.1427'

East: 2,624,844.3757'

Segment# 1: Line

Course: S1° 10' 07"E

Length: 62.670'

North: 390,988.4858'

East: 2,624,845.6539'

Segment# 2: Line

Course: S88° 46' 52"W

Length: 13.000'

North: 390,988.2092'

East: 2,624,832.6568'

Segment# 3: Line

Course: N1° 10' 07"W

Length: 32.670'

North: 391,020.8725'

East: 2,624,831.9905'

Segment# 4: Line

Course: N22° 15' 08"E

Length: 32.706'

North: 391,051.1427'

East: 2,624,844.3758'

Perimeter: 141.046'

Area: 619.71Sq.Ft.

Error Closure: 0.0001

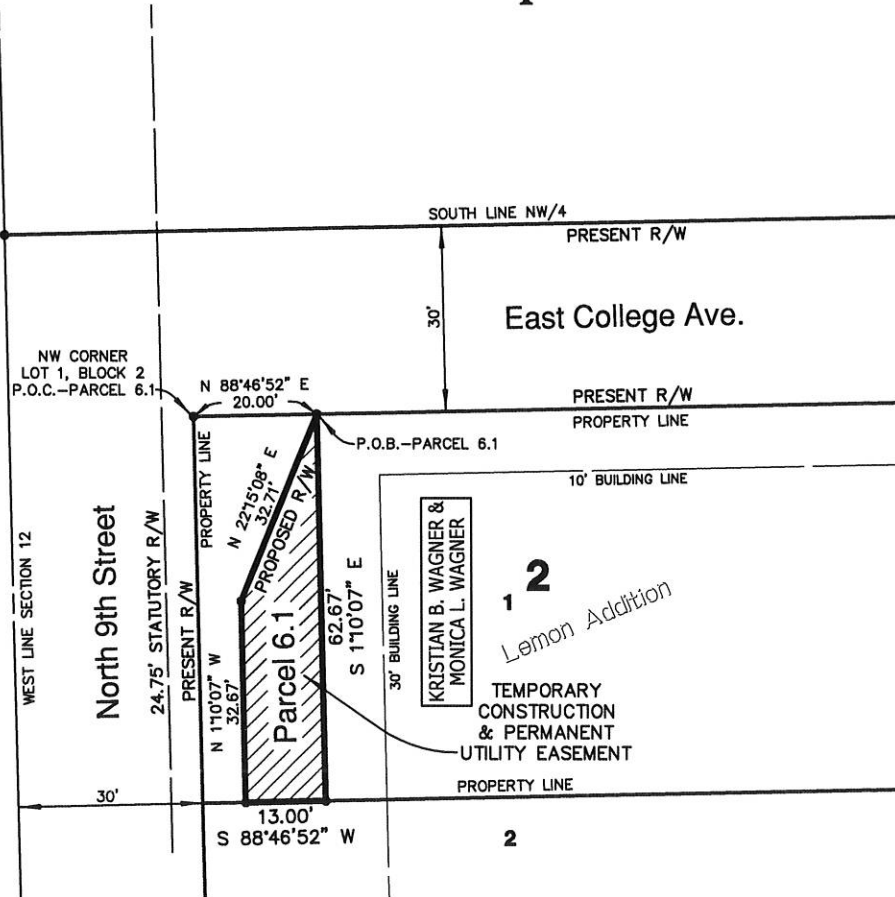
Course: S37° 55' 01"E

Error North : -0.00005

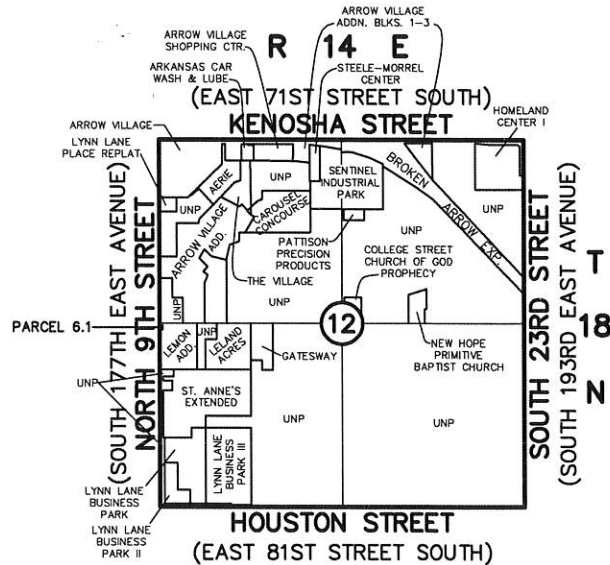
East: 0.00004

Precision 1: 1,410,460.000

Parcel Map



SCALE 1"=20'



Location Map

SCALE: NOT TO SCALE

TOTAL PROPERTY - 0.227 ACRES
 PERMANENT UTILITY ESMT. - 0.014 ACRES
 TEMP. CONSTRUCTION ESMT. - 0.014 ACRES

P.O.B. - POINT OF BEGINNING
 P.O.C. - POINT OF COMMENCEMENT
 R/W - RIGHT-OF-WAY

DATE: 12/10/2013
 SHEET 2 OF 2



Sisemore Weisz & Associates, Inc.

6111 EAST 32nd PLACE
 TULSA, OKLAHOMA 74135
 C.A. NO. 2421
 W.O. NO. 16720.04
 PHONE: (918) 665-3600
 FAX: (918) 665-8668
 EXP. DATE 6/30/15
 FILE NO. 1814.1200