

RESOLUTION NO. 977

A Resolution of Necessity to Condemn Property located at 1001 Wesley Drive, Broken Arrow, Tulsa County, Oklahoma, (9th Street Widening Elgin Street to El Paso Street)

WHEREAS, Joan Bouden LaFaver, own or otherwise claim some interest in certain real property generally located on a tract of land that is all of Lot Thirteen (13), Block One (1), Lemon Addition to the City of Broken Arrow, Tulsa County, Oklahoma; and

WHEREAS, The Broken Arrow City Council desires to acquire this property for the public purpose of completing the 9th Street Widening – Elgin Street to El Paso Street Project; and

WHEREAS, this real property is legally described as follows:

The following Right of Way is located in the Southwest Quarter of Section 12, Township 18 North 14 East of the Indian Meridian, Tulsa County, Oklahoma.

PERMANENT RIGHT-OF-WAY

A tract of land that is all of Lot Thirteen (13), Block One (1), 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 13, Block 1, Lemon Addition; thence North 88°46'52" East along the Northerly Line of said Lot 13 for 60.00 Feet to the Northeast Corner of said Lot 13; thence South 01°10'07" East along the Easterly Line of said Lot 13; thence South 88°46'58" West along said Southerly Line of Lot 13 for 60.00 Feet to the Southwest Corner of said Lot 13; thence North 01°10'07" West along said Westerly Line of Lot 13 for 145.92 Feet to the Point of Beginning of said Tract of Land.

The above described Tract of Land containing 8,755 Square Feet or 0.201 Acres, more or less.

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 9th Street Widening – Elgin Street to El Paso Street 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 7th day of February, 2017.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney