

RESOLUTION NO. 982

A Resolution of Necessity to Condemn Property located at 825 East Dallas Street, Broken Arrow, Tulsa County, Oklahoma, (9th Street Widening Elgin Street to El Paso Street)

WHEREAS, Jennifer C. and Todd Kitchen, husband and wife, own or otherwise claim some interest in certain real property generally located on a tract of land that is all of Lots One (1) and Two (2), Block One (1), East Haskell 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 11, Township 18 North, Range 14 East of the Indian Meridian, Tulsa County, Oklahoma.

PERMANENT RIGHT-OF-WAY

A tract of land that is all of Lots One (1) and Two (2), Block One (1), East Haskell Addition to the City of Broken Arrow, Tulsa County, Oklahoma

The above described Tract of Land containing 16,623 Square Feet or 0.381 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 21st day of February, 2017.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney