

**RESOLUTION NO. 985**

**A Resolution of Necessity to Condemn Property located at 312 North 9<sup>th</sup> Street, Broken Arrow, Tulsa County, Oklahoma, (9<sup>th</sup> Street Widening Elgin Street to El Paso Street)**

**WHEREAS**, John H. and Dorothy W. Bryce, Co-Trustees of the Bryce Revocable Family Trust, own or otherwise claim some interest in certain real property generally located on a tract of land that is part of Block Two (2), Mound View 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 9<sup>th</sup> 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 on a tract of land that is part of Block Two (2), Mound View 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 196 Feet North of the Southeast corner of Block Two (2), thence North 75 Feet; thence West 140 Feet; thence South 75 Feet; Thence East 140 Feet to the Place of Beginning.

The above described Tract of Land containing 10,500 Square Feet or 0.241 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 9<sup>th</sup> 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 21<sup>st</sup> day of February, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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City Attorney