

RESOLUTION NO. 999

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GENERAL WARRANTY DEED FOR PARCEL 20, WHICH CONSISTS OF 0.70 ACRES OF PERMANENT RIGHT-OF-WAY FOR 23RD STREET, HOUSTON TO KENOSHA, IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 18 NORTH, RANGE 14 EAST, AT THE SOUTHWEST CORNER OF 23RD STREET AND HOUSTON STREET, FROM EAST KENOSHA DEVELOPMENT, LLC AND AUTHORIZATION OF PAYMENT IN THE AMOUNT OF \$35,000.00 TO EAST KENOSHA DEVELOPMENT, LLC FOR THE 23RD STREET WIDENING FROM HOUSTON TO KENOSHA PROJECT (PROJECT NO. ST0914)

WHEREAS, the right-of-way acquisition for the 23rd Street, Houston to Kenosha Widening project has been approved for federal Surface Transportation Program (STP) funding, with the cost to be shared 20% by the City of Broken Arrow and 80% by the Oklahoma Department of Transportation; and

WHEREAS, the City of Broken Arrow's contract right-of-way agent, Universal Field Services, has negotiated a payment to East Kenosha Development, LLC in the amount of \$35,000.00, the property owner of parcel 20 which consists of 0.70 acres generally located at the Southwest Corner of 23rd Street and Houston Street; and

WHEREAS, in accordance with the February 10, 2014 Project Construction, Maintenance, Utility Relocation and Right-of-Way Agreement between the Oklahoma Department of Transportation and the City of Broken Arrow, the City will make the payment to the property owners to East Kenosha Development, LLC in the amount of \$35,000.00 with the funding of this right-of-way acquisition to be from the 2014 Streets GO Bond; and

WHEREAS, the Oklahoma Department of Transportation anticipates to reimburse the City of Broken Arrow \$28,000.00 of this \$35,000.00 expenditure;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA, THAT:

1. The City of Broken Arrow accept the Warranty Deed for parcel 20 from East Kenosha Development, LLC and authorize payment to East Kenosha Development, LLC in the amount of \$35,000.00 and apply for reimbursement to the Oklahoma Department of Transportation in the amount of \$28,000.00.

This Resolution is approved in open meeting by the City Council of the City of Broken Arrow on this 21th day of March, 2017.

MAYOR

ATTEST:

(seal) CITY CLERK

APPROVED AS TO FORM:

ASSISTANT CITY ATTORNEY