

RESOLUTION NO. 1033

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO AGREE TO ENTRY OF JUDGMENT IN THE CASE OF *CITY OF BROKEN ARROW, OKLAHOMA V. AMY E. HEFLEY, ET AL*, TULSA COUNTY DISTRICT COURT CASE NUMBER CJ-2017-1378 AND DIRECTING THE CITY ATTORNEY TO PREPARE AND FILE THE NECESSARY DOCUMENTS TO EFFECTUATE SETTLEMENT INCLUDING A JOURNAL ENTRY FOR THE COURT'S APPROVAL.

WHEREAS, the City of Broken Arrow filed case number CJ-2017-1378 to condemn property generally located at 131 North 9th Street, Broken Arrow, Tulsa County, State of Oklahoma for the purpose of constructing the 9th Street Widening Project-Elgin to El Paso; and

WHEREAS, the amount of Forty Thousand Dollars and 00/100 (\$40,000.00) was previously deposited with the Clerk of the Court pursuant to the Court appointed Commissioners and serves as a credit in favor of the City of Broken Arrow; and

WHEREAS, the City Council approves Resolution of this condemnation for the sum of Forty Thousand Dollars and 00/100 (\$40,000.00), the amount of the Commissioners award and finds this amount to be reasonable and proper for the settlement of this matter; and

WHEREAS, it is the desire of the Council to approve such settlement agreement by authorizing the City Attorney to prepare and file the necessary documents to settle this case, including a Journal Entry of Judgment which represents a compromised settlement of disputed valuation.

NOW, THEREFORE, BE IT RESOLVED that the City Attorney be, and is hereby directed to prepare and file the necessary documents, including a Journal Entry Incorporating the terms of settlement in the sum of Forty Thousand and 00/100 (\$40,000.00) in Tulsa County District Court Case number CJ-2017-1378 and to execute any and all necessary documents to effectuate this settlement for the courts approval.

Approved and adopted by the Mayor of the Council of the City of Broken Arrow, this 18th day of July, 2017.

CITY OF BROKEN ARROW, OKLAHOMA

Mayor

Attest:

City Clerk

Approved as to form and legality:

Deputy City Attorney