

RESOLUTION NO. 1189

A RESOLUTION OF NECESSITY TO CONDEMN PROPERTY THAT IS GENERALLY LOCATED AT 12944 SOUTH 185TH EAST AVENUE, BROKEN ARROW, IN THE SOUTHWEST QUARTER OF SECTION 1, T-17-N, R-14-E OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA, FOR THE COUNTY LINE TRUNK SEWER REPLACEMENT, (PROJECT NO. S.1609)

WHEREAS, Margaret E. Crawford owns or otherwise claim some interest in certain real property identified as Parcel 2A.1, located on a tract of land in the Southwest Quarter of Section 1, T-17-N, R-14-E of the Indian Meridian, Tulsa County, Oklahoma; generally located at 12944 S 185th E Avenue, Broken Arrow, Oklahoma; and

WHEREAS, The Broken Arrow City Council desires to acquire a Temporary Construction Easement for the public purpose of completing the County Line Trunk Sewer Replacement Project; and

WHEREAS, this real property is legally described as follows:

PARCEL 2A.1

TEMPORARY CONSTRUCTION EASEMENT:

A tract of land located in the Northeast Quarter of the Southwest Quarter (NE/4 SW/4) of Section One (1), Township Seventeen (17) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according the United States Government Survey thereof, being more particularly described as follows:

COMMENCING at the Northeast corner of said SW/4; Thence South 01°28'08" East and along the East line of said SW/4, for a distance of 992.70 feet; Thence South 88°46' 21" West, for a distance of 1249.05 feet to the POINT OF BEGINNING; Thence South 47°21'33" West, for a distance of 90.44 feet; Thence North 01°31'36" West, for a distance of 59.83 feet; Thence North 88°46'21" East, for a distance of 68.14 feet to the POINT OF BEGINNING.

WHEREAS, the parties hereto have duly entered into negotiations for the voluntary purchase of a Temporary Construction Easement 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 County Line Trunk Sewer Replacement 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 19th day of February 2019.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney