

## RIGHT OF WAY AGENT'S LOG

**PROPERTY LOCATION:**

Part of the Northwest Quarter

**Section 12, Township 17 North, Range 14 East**

**PARCEL NO:** 32.0, 32.1, 7.A

**PROJECT NO:** S.1609, S.1609A

**COUNTY:** TULSA

**NOT SECURED**

**OWNER/ADDRESS/TELEPHONE:**

Gene Woodward and Gwen Esther Gray

**MAILING ADDRESS:**

18020 E 131<sup>st</sup> St So

Broken Arrow, OK 74011

**PARCEL ADDRESS:**

13101 S 177<sup>th</sup> Ave.

Broken Arrow, OK 74011

(918) 451-1183

**PROPERTY DIRECTIONS:**

The property is located just south and east of 9<sup>th</sup> Street (177<sup>th</sup> E Ave.) and Jasper (131<sup>st</sup> St So.)

**MORTGAGES:**

NONE

**AUTHORIZED NEGOTIATION AMOUNT:**

	<u>Original</u>	<u>Revised</u>	<u>OFFER</u>
Perm R/W P-32	<u>10,398.9 SF</u>	<u>N/A</u>	\$2,685.67
TCE R/W P-32.1	<u>7,238.4 SF</u>	<u>N/A</u>	\$ 498.51
TCE R/W P-7A.1	<u>55,555 SF</u>	<u>N/A</u>	\$3,826.20

**REVISED**

OFFER

**SETTLEMENT**

AMOUNT

**IMPROVEMENTS:**

None

**DAMAGES:**

None

**TOTAL: \$7,020.00**

**REPORT OF ALL CONTACTS:**

**7/9/18 3:49 PM**

Received appraisal from Roberson + Company Realty Advisors, LLC. KP

**7/31/18**

S.1609 Introductory Letter sent to landowner explaining the project along with introductory documents. KP

**10/10/18**

S.1609 Offer letter sent to landowner. KP

**10/11/18**

S.1609A Introductory Letter sent to landowner explaining the project along with introductory documents. KP

**10/18/18**

KP called GW called to discuss the offer letter I sent to him on his property. GW proceeded to question why the City did not contact him in the design phase of this project as he has quite a bit of knowledge that should have been considered. I advised him that I am the right-of-way agent and am able to discuss with him the purchase or rental of land as the project has already been designed. He went on to discuss the project that was done in the 1980's and that he did not like the way it was handled at all and continued to complain for 2 hours on the telephone with me. In the end, he wanted to speak with the engineer in charge of the project. I advised him I would refer him to Stacy White to make contact with him. KP

**10/19/18**

SW called GW to discuss his concerns for the upcoming project at his request after he spoke with KP. GW owned the property when the original 27" County Line Trunk Sewer was installed. He expressed his concern that this project would be done in a similar manner as the previous project. He felt his property had not been properly protected during that project. He also expressed concern that his pond would be drained into the Broken Arrow Creek. SW explained the project to GW and how the City was working diligently with the United States Army Corp of Engineers (USACE) to make sure that the creek and the ponds were protected. SW spent an hour listening to GW talk about the past thirty years. The call ended with a date for us to meet on his property to discuss further. SW

**10/22/18** on-site meeting (SW, JW, ER, KP)

The above noted met with GW on his property. GW listed his requirements that must be met in order for him to sign any easement. The list included repaving the driveway with 3" of asphalt (the driveway belongs to the City of Broken Arrow, deeded over when the bridge was put in.); putting back the dam he put in the creek so he could drive across the creek to his property on the other side (we cannot dam the creek); survey his entire property to ensure no changes were made during construction (his property is almost all floodplain, we cannot change contours at all); keep all spoils from the trench on his property (again, we cannot leave the spoils in the floodplain. It was a cordial meeting, but it ended with GW saying he would be getting an attorney. KP

**10/23/18**

Received Analysis of 30 Year Title Report from JF.

**10/29/18**

S.1609A Offer letter sent to landowner.

**11/30/18**

KP called and spoke with GW on 11-20-18 at about 1100 hours. I asked if he had considered the City's offer. GW advised that we have not flagged any of his property and who would go out and buy land with it not being flagged? He continued on saying that the drainage is very important on this property and suggested we move the line to the east side of the creek. I advised that the line was staying in its current alignment. He advised that the City is very close-minded and that the City was staying in alignment so they do not have to buy more land. I advised him the design has already been completed and he went on to tell me that he should have been consulted at the beginning to get his input on the project. He also advised that every inch of his land would need to be shot (surveyed) before any work could start. He also went on to ask about whether his site would be bored or not. I reminded him that myself, project engineers and that myself met him on site and those items were discussed at length. He advised that we did not allow enough time to visit with him as we were in a hurry to meet with other property owners. I advised him that we allowed each owner the same time

and that he continually brought up the original contractors and the problems he encountered and that he threatened the onsite inspector etc. during the 1980's build of the original line. It was explained while onsite that the project would be watched carefully with an in-house inspector. At one point, he had requested dirt be stockpiled onsite and he was advised that could not be done, as it was a floodplain. Finally, I explained I would talk with the project engineer about flagging his land and other issues and get back with him next week. He was very argumentative. At one point, he said we could not get on his land and I reminded him that the Easement we have with the sewer line does allow us to cross his property for maintenance, repair, etc... KP

**01/29/19**

S.1609 FINAL OFFER LETTER sent to GW along with Landowner bill of rights flyer. KP

**01/29/19**

S.1609A FINAL OFFER LETTER sent to GW along with Landowner bill of rights flyer. KP

**2/6/19**

Sent the file to the City of Broken Arrow legal department requesting condemnation. KP

**LEGEND:**

KP – Karen Pax, Right of Way Agent for the City of Broken Arrow, Oklahoma

GW – Gene Woodward, Property Owner

SW – Stacy White, P.E., Environmental Manager, City of Broken Arrow, Oklahoma

JW – Jeff Westfall, P.E., CFM, Project Engineer, City of Broken Arrow, Oklahoma

ER – Emily Rowland, E.I., Project Engineer, City of Broken Arrow, Oklahoma

DR – David Roberson, MAI, SRA, Manager, Roberson + Company Realty Advisors, LLC  
Contract Appraiser for the City of Broken Arrow, Oklahoma

JF – Joe B. Francis, Attorney, Kivell, Rayment & Francis, Contract Attorney for the City of  
Broken Arrow, Oklahoma