

RESOLUTION NO. 1186

A RESOLUTION OF NECESSITY TO CONDEMN PROPERTY GENERALLY LOCATED AT 13185 SOUTH 177TH EAST AVENUE, BROKEN ARROW, IN THE NORTHWEST QUARTER OF SECTION 12, T-17-N, R-14-E OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA, FOR THE COUNTY LINE TRUNK SEWER REPLACEMENT, (PROJECT NO. S.1609A)

WHEREAS, Jerry L. Woodward own or otherwise claim some interest in certain real property identified as Parcel 6A, located on a tract of land in the Northwest Quarter of Section 12, T-17-N, R-14-E of the Indian Meridian, Tulsa County, Oklahoma; generally located at 13185 S 177th 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 6A

TEMPORARY CONSTRUCTION EASEMENT:

A tract of land that is a part of the Northwest Quarter of the Northwest Quarter (NW4, NW4), of Section Twelve (12), Township Seventeen North (T17N), Range Fourteen East (R14E) of the Indian Meridian, Tulsa County, Oklahoma, more particularly described as follows:

Commencing from the Northwest Corner of Section 12; Thence along the West line of the Northwest Quarter of Section 12, S01°13'08"E a distance of 1319.50 feet; Thence along the South line of the Northwest Quarter of the Northwest Quarter of Section 12, N88°43'27"E a distance of 393.88 feet to the Point of Beginning; Thence N88°43'27"E a distance of 100.61 feet; Thence N05°01'29"E a distance of 55.88 feet; Thence N23°03'35"E a distance of 262.38 feet; Thence N00°02'58"W a distance of 165.30 feet; Thence S88°43'27"W a distance of 100.02 feet; Thence S00°02'58"E a distance of 142.71 feet; Thence S23°03'35"W a distance of 257.80 feet; Thence S05°01'29"W a distance of 82.80 feet to the Point of Beginning.

WHEREAS, the parties hereto have duly entered into negotiations for the voluntary purchase of the 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