

RESOLUTION NO. 1273

A RESOLUTION OF THE BROKEN ARROW CITY COUNCIL AUTHORIZING THE CITY ATTORNEY TO ENTER INTO A JOURNAL ENTRY OF JUDGMENT IN THE CASE OF CITY OF BROKEN ARROW, OKLAHOMA V. ASA V. FORBES, TULSA COUNTY DISTRICT COURT CASE NO. CV-2019-613, REGARDING THE CONDEMNATION OF PROPERTY LOCATED AT 11406 SOUTH 193RD EAST AVENUE, BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA

WHEREAS, on May 7, 2019, the Broken Arrow City Council determined and declared the public necessity of taking, appropriating, condemning and acquiring a permanent utility easement and a temporary construction easement upon, over and through real property owned by Asa V. Forbes (“the Landowner”) for the public purpose of completion of the County Line Trunk Sewer Replacement Project, as authorized under authority of 11 O.S. § 22-104; and

WHEREAS, the easements are necessary to replace existing sewer line; and

WHEREAS, on May 9, 2019, the City filed suit against the Landowner to acquire these easements; and

WHEREAS, the Commissioners filed a report on July 26, 2019, valuing the take at \$6,500.00 and the City tendered the commissioners’ award to the Court Clerk on August 23, 2019, taking title to the condemned easements; and

WHEREAS, the City Council desires to authorize the City Attorney to agree to the commissioners’ valuation of the land and obtain from the Court a Journal Entry of Judgment which awards the \$6,500 currently held in the court registry to the Landowner and resolves all issues;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW THAT the City Attorney is authorized to enter into a Journal Entry of Judgment which awards the \$6,500 currently held in the court registry to the Landowner and resolves all issues in the Tulsa County District Court case, *City of Broken Arrow, Oklahoma v. Asa V. Forbes*, as outlined above.

ADOPTED BY THE BROKEN ARROW CITY COUNCIL this 15th day of October, 2019.

MAYOR

ATTEST:

(SEAL) CITY CLERK

APPROVED AS TO FORM:

ASSISTANT CITY ATTORNEY