

10/7/08

**RESOLUTION NO. 547**

**A RESOLUTION ESTABLISHING THE NECESSITY OF IMPROVEMENTS TO STORMWATER SYSTEMS OF STEEPLECHASE FARMS AND AMENDED GLEN EAGLES SUBDIVISIONS, ADOPTING AND APPROVING THE MUNICIPAL ENGINEER'S PRELIMINARY PLANS, PRELIMINARY ESTIMATE AND ASSESSMENT PLAT, DECLARING THE WORK OF THE IMPROVEMENT NECESSARY TO BE DONE AND ESTABLISHING A HEARING ON THE PROPOSED IMPROVEMENTS**

**WHEREAS**, on February 11, 2008, the Broken Arrow City Council considered improvements to the stormwater systems of Steeplechase Farms and Amended Glen Eagles Subdivisions; and

**WHEREAS**, these improvements are necessary to bring the systems, which include stormwater sewer lines, into compliance with City of Broken Arrow codes, regulations, and ordinances; and

**WHEREAS**, these improvements are also necessary to bring these subdivisions into compliance with 100-year storm requirements and to protect the health, safety, and welfare of the citizens who reside in these areas; and

**WHEREAS**, the Council voted to upgrade the Steeplechase Farms stormwater system on the eastern side of the subdivision near 199<sup>th</sup> East Avenue and East 39<sup>th</sup> Street and on the western side of the subdivision on 196<sup>th</sup> East Avenue; and

**WHEREAS**, the Council also discussed funding options, which included payment by the property owners of the actual cost of materials and the City providing the labor and equipment to construct the improvements; and

**WHEREAS**, it is appropriate for the municipal engineer to prepare and file or cause to be prepared and filed preliminary plans showing a preliminary estimate of the cost of these improvements and an assessment plat showing the area to be assessed.

**WHEREAS**, the Municipal Engineer has prepared and filed preliminary plans, a preliminary estimate and an assessment plat for improvements to the stormwater systems of Steeplechase Farms and Amended Glen Eagles Subdivisions; and

**WHEREAS**, these documents were filed with the Municipal Clerk on October 6, 2008; and

**WHEREAS**, the governing body has examined these plans and found them satisfactory and desires to adopt and approve them by this Resolution.

**NOW THEREFORE BE IT RESOLVED THAT** improvements to the stormwater systems of Steeplechase Farms and Amended Glen Eagles Subdivisions, which include stormwater sewer lines, are necessary to bring them into compliance with City of Broken Arrow codes, regulations, and ordinances; and

**NOW THEREFORE BE IT FURTHER RESOLVED THAT** improvements to the stormwater systems are necessary to bring these subdivisions into compliance with 100-year storm requirements; and

**NOW THEREFORE BE IT FURTHER RESOLVED THAT** these improvements are for the overall health, safety, and welfare of the citizens who reside in these areas; and

**NOW THEREFORE BE IT FURTHER RESOLVED THAT** the City Council has examined the preliminary plans, preliminary estimates and assessment plat of the stormwater improvements and found them to be satisfactory; and

**NOW THEREFORE BE IT FURTHER RESOLVED THAT** that said preliminary plans, preliminary estimates and assessment plat of the stormwater improvements are hereby adopted and approved and hereby declare that this work of improvement is necessary to be done; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Broken Arrow City Council will hold a hearing on the improvements to the stormwater systems of Steeplechase Farms and Amended Glen Eagles subdivisions on November 18, 2008; and

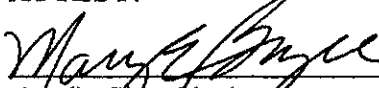
**NOW THEREFORE BE IT FURTHER RESOLVED** that the Municipal Clerk is hereby directed to give notice as required by Title 11 § 37-212 of the Oklahoma Statutes; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that any person, firm, corporation, administrator or guardian holding title to the land liable to assessment may file, within fifteen (15) days after the last publication of notice, with the Clerk a protest in writing against the improvements; and

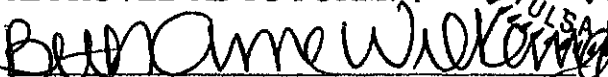
**NOW THEREFORE BE IT FURTHER RESOLVED** that the municipality may proceed to cause the improvements to be made, contract therefore and levy assessments for the payment thereof, of the record owner of more than one-half, in area, of the land liable to be assessed do not file their written protest as provided in this Section.

**ADOPTED BY THE BROKEN ARROW CITY COUNCIL** this 7<sup>th</sup> day of October, 2008.

ATTEST:

  
(seal) City Clerk

APPROVED AS TO FORM:

  
City Attorney



