

# Advertising Invoice

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00069214	2008-10-23	Daily Commerce & Legal	RESOLUTION NO. 547	20.19	135.80
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# PUBLISHER'S AFFIDAVIT

RESOLUTION NO. 547

PUBLICATION DATE(S)

10/23/08, 10/30/08

CASE NUMBER: RESOLUTION NO. 547

AD NO: 00069214

## LEGAL NOTICE

STATE OF OKLAHOMA

COUNTY OF Tulsa

} SS

I, of lawful age, being duly sworn, am a legal representative of Tulsa Daily Commerce & Legal News of Tulsa, Oklahoma, a daily newspaper of general circulation in Tulsa, Oklahoma, a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971 and 1982 as amended, and thereafter, and complies with all other requirements of the laws of Oklahoma with reference to legal publications. That said notice, a true copy of which is attached hereto was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the ABOVE LISTED DATE(S)

  
Representative Signature

Subscribed to and sworn to me this 31st day of October, 2008.

Notary Public   
CARMEN TAPP

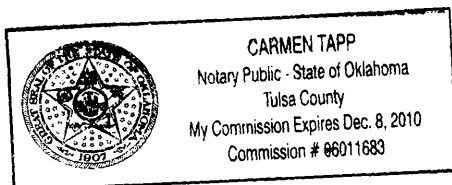
My commission number: 06011683

My commission expires: December 8, 2009

Customer #: 00012724

Customer: CITY OF BROKEN ARROW

Publisher's Fee: 261.90



69214 & 69215

Published in the Tulsa Daily Commerce & Legal News, October 23 & 30, 2008 and the Broken Arrow Ledger, October 25 & November 1, 2008, Tulsa County, Oklahoma

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 199th East Avenue and East 39th Street and on the western side of the subdivision on 196th 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 7th day of October, 2008.

/s/ J. Wade McCaleb, Sr.  
MAYOR

ATTEST:  
/s/ Mary E. Bryce  
City Clerk

APPROVED AS TO FORM:

/s/ Beth Anne Wilkening  
City Attorney