



City of Broken Arrow

Request for Action

File #: 17-2422, Version: 1

**Broken Arrow City Council
Meeting of: 07-18-2017**

**To: Mayor and City Council Members
From: Legal Department**

Title: Consideration, discussion, and possible approval of Resolution No. 1033, a Resolution authorizing the City Attorney to agree to Entry of Judgment in the case of the *City of Broken Arrow, Oklahoma v Amy E. Hefley, et al*, Tulsa County District Court Case number CJ-2017-1378 and directing the City Attorney to prepare and file the necessary documents to effectuate settlement including a Journal Entry for the Court's approval

Background:

This case of the *City of Broken Arrow, Oklahoma v Hefley, et al*, Tulsa County District Court Case Number CJ-2017-1378 involves a condemnation and action brought to acquire 634 square feet of permanent right-of-way and 620 square feet of utility easement and temporary construction easement to complete the 9th Street Widening Project. The landowner has verbally offered to settle this matter for the amount of the Commissioners award, Forty Thousand Dollars and 00/100 (\$40,000.00). Settlement of this amount is recommended and based upon the value of comparative property values and damage to the remainder of landowner's property. This matter has been placed on Executive Session for the Council's consideration, should the members wish to discuss it with the City Attorney. Funding will come from the 2014 General Obligation Bond.

Cost: \$40,000.00

Prepared By: Trevor Dennis, Deputy City Attorney

**Reviewed By: Engineering and Construction
Finance Department**

Approved By: Michael L. Spurgeon, City Manager

Attachments: Resolution 1033

Recommendation: To approve Resolution No. 1033 and authorize its execution