



City of Broken Arrow

Legislation Details (With Text)

File #: 17-1810 **Name:**

Type: General Business **Status:** Passed

File created: 2/1/2017 **In control:** Broken Arrow City Council

On agenda: 2/7/2017 **Final action:** 2/7/2017

Title: Consideration, discussion, and possible approval of and authorization to execute Resolution No. 977, a Resolution of Necessity to condemn property located at 1001 Wesley Drive, Broken Arrow, Tulsa County, State of Oklahoma

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution No.pdf, 2. Letters, 3. Parcel Map

Date	Ver.	Action By	Action	Result
2/7/2017	1	Broken Arrow City Council	approved	Pass

Broken Arrow City Council

Meeting of: 02-07-2017

To: Mayor and Council Members
From: Department of Engineering and Construction
Title:

Consideration, discussion, and possible approval of and authorization to execute Resolution No. 977, a Resolution of Necessity to condemn property located at 1001 Wesley Drive, Broken Arrow, Tulsa County, State of Oklahoma

Background:

The property located at 1001 Wesley Drive, Broken Arrow, Tulsa County, State of Oklahoma is presently owned by Joan Bouden LaFaver. An informational letter was sent out to all property owners affected by the proposed 9th Street widening project from El Paso Street to Elgin Street on October 26, 2015, detailing the proposed improvements. An introductory letter was sent out to the land owner dated June 6, 2016, that introduced the new contract right of way agent and along with an offer for the sale of the parcel needed for this project in the appraised amount of \$72,500.00. On July 19, 2016, the property owner came by the Engineering and Construction Department with a flyer for a home for sale in Tulsa advising a property for sale at \$154,900.00 stating that this was the closest comparison she could find for her property value. In a subsequent letter dated August 26, 2016, the City advised that due to unsuccessful negotiations with the property owner that the matter would be turned over to the Legal Department to initiate a condemnation. Sometime after that letter the property was listed for sale. In an attempt to negotiate further a letter dated December 12, 2016, the City offered \$110,000.00 for total take and buyout. On or about January 24, 2017, the City received the counter-offer letter from the owner. The offer letter was lined through advising that the owner would consider \$130,000.00 through her realtor.

Staff recommends proceeding with the condemnation process required to obtain this Permanent Right-of-Way. Acquisition is necessary to construct the necessary roadway improvements associated with 9th Street Widening Elgin Street to El Paso Street as approved by the voters in the 2011 and 2014 General Obligation

Bond election.

Cost: None

Prepared By: Alex M Mills, P.E., CFM, Assistant City Manager

Reviewed By: Engineering and Construction Department
Assistant City Manager - Operations
Legal Department

Approved By: Michael L. Spurgeon, City Manager

Attachments: Resolution No. 977
Letters dated 10/25/2015, 6/6/2016, 7/19/2016, 8/26/2016, 12/12/2016, and 01/24/2017
Parcel Map

Recommendation: Approve Resolution No. 977 and authorize its execution.