



City of Broken Arrow

Legislation Details (With Text)

File #: 17-1849 **Name:**
Type: General Business **Status:** Passed
File created: 2/13/2017 **In control:** Broken Arrow City Council
On agenda: 2/21/2017 **Final action:** 2/21/2017
Title: Consideration, discussion, and possible approval of and authorization to execute Resolution No. 984, a Resolution of Necessity to condemn property located at 310 South 9th Street, Broken Arrow, Tulsa County, State of Oklahoma

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution No. 984 - Chasteen, 2. Parcel 26 Exhibits

Date	Ver.	Action By	Action	Result
2/21/2017	1	Broken Arrow City Council	approved	Pass

Broken Arrow City Council

Meeting of: 02-21-2017

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

Consideration, discussion, and possible approval of and authorization to execute Resolution No. 984, a Resolution of Necessity to condemn property located at 310 South 9th Street, Broken Arrow, Tulsa County, State of Oklahoma

Background:

The property located at 310 South 9th Street, Broken Arrow, Tulsa County, State of Oklahoma is presently owned by Carl E. Chasteen and Naomi R. Chasteen Revocable Trust, Rebecca Lynn Howeth and Naomi R. Chasteen, Co-Trustees. 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 proposed improvements. In an introductory letter sent out to the land owner dated May 31, 2016, that introduced the new contract right of way agent along with a donation certificate and an offer after appraisal to purchase permanent right of way, utility easement, and temporary construction easement for \$8,100.00. On January 4, 2017, the City received a letter from a Lewis Lorenz, the attorney for The Co-Trustee Rebecca Howeth. Mr. Lorenz advises that they respectfully decline the City's offer. The City has sent another letter to Ms. Howeth, Co-Trustee offering the same offer and advising of pending condemnation.

Staff recommends proceeding with the condemnation process required to obtain the permanent right-of-way and easements. 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: Estimated to be \$81,000 plus Court Costs

Prepared By: Alex M. Mills, P.E., CFM, Director of Engineering and Construction

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

Approved By: Michael L. Spurgeon, City Manager

Attachments: Resolution No. 984
Parcel Map Exhibits

Recommendation: Approval and authorize execution of Resolution No. 984 directing the Legal Department to initiate a condemnation action to acquire the permanent right-of-way and easements.