



# City of Broken Arrow

## Legislation Details (With Text)

<b>File #:</b>	19-248	<b>Name:</b>	
<b>Type:</b>	General Business	<b>Status:</b>	Agenda Ready
<b>File created:</b>	2/11/2019	<b>In control:</b>	Broken Arrow City Council
<b>On agenda:</b>	2/19/2019	<b>Final action:</b>	
<b>Title:</b>	Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1186, a Resolution of Necessity to Condemn Property generally located at 13185 South 177th East Avenue, Broken Arrow, in the Northwest Quarter of Section 12, T-17-N, R-14-E of the Indian Meridian, Tulsa County, Oklahoma, for the County Line Trunk Sewer Replacement, (Project No. S.1609A)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. RESOLUTION NO 1186, 2. Right of Way Agent's Report, 3. Offer Letter, 4. Parcel 6.A, Survey Exhibit		

Date	Ver.	Action By	Action	Result
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### Broken Arrow City Council

#### Meeting of: 2-19-2019

**Title:**

Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1186, a Resolution of Necessity to Condemn Property generally located at 13185 South 177th East Avenue, Broken Arrow, in the Northwest Quarter of Section 12, T-17-N, R-14-E of the Indian Meridian, Tulsa County, Oklahoma, for the County Line Trunk Sewer Replacement, (Project No. S.1609A)

**Background:**

An informational letter sent to the landowner on October 11 2018, detailing the improvements, introducing the right of way agent along with a donation certificate, owner contact form along with property exhibit. On 10/29/18, an offer letter based on market analysis sent to the landowner for a Temporary Construction Easement for \$2,340.00. On 11/13/18, the City Manager received a letter from Ted Moore, the attorney for landowner. The City's offer refused advising his client was not predisposed to cooperate to any significant degree. Another offer letter based on appraisal sent on 1/29/19 for \$2,510.00. The easement acquisition for the County Line Trunk Sewer replacement project was approved for funding with the OWRB loan. The City's right-of-way agent has attempted unsuccessfully to negotiate with Jerry Woodward for Parcel 6A, generally located at 13185 block S 177<sup>th</sup> E Avenue, Broken Arrow, Oklahoma, Section 12, Township 17 North, Range 14 East. The attached Resolution of Necessity No. 1186 authorizes that condemnation proceed on Parcel 6A, for a Temporary Construction Easement.

**Cost:** \$2,510.00 plus costs

**Funding Source:** OWRB Loan.

**Requested By:** Alex Mills, P.E., CFM, Engineering & Construction Manager

**Approved By:** Michael L. Spurgeon, City Manager

**Attachments:** Resolution No. 1186  
Right of Way Agent's Report  
Offer Letter  
Parcel 6A, Survey Exhibit

**Recommendation:**

Approve Resolution No. 1186 and authorize its execution.