



# City of Broken Arrow

## Request for Action

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**File #: 17-1936, Version: 1**

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**Broken Arrow City Council  
Meeting of: 03-21-17**

**To: Mayor and City Council  
From: Engineering and Construction Department**

**Title: Approval of and authorization to execute Resolution No. 999, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 20, which consists of 0.70 acres of permanent right-of-way for 23rd Street, Houston to Kenosha, in the East Half of the Northeast Quarter of Section 12, Township 18 North, Range 14 East, at the Southwest Corner of 23rd Street and Houston Street, from East Kenosha Development LLC and authorize payment in the amount of \$35,000.00, for the 23rd Street Widening from Houston to Kenosha Project (Project No. ST0914)**

**Background:**

The right-of-way acquisition for the 23<sup>rd</sup> Street, Houston to Kenosha Widening project has been approved for federal Surface Transportation Program (STP) funding, to be cost shared 20%-80% (City-Oklahoma Department of Transportation (ODOT)). The City's contract right-of-way agent, Universal Field Services has negotiated a payment of \$35,000.00 with East Kenosha Development LLC, the property owner of Parcel 20, which consists of 0.70 acres generally located at the southwest corner of 23<sup>rd</sup> Street and Houston Street. In accordance with a February 10, 2014, Project Construction, Maintenance, Utility Relocation, and Right-of-Way Agreement Between the Oklahoma Department of Transportation and the City of Broken Arrow, the City will make the payment to the property owners and apply for reimbursement of ODOT's 80% share. Payment is on the City Council claims list. Staff recommends that the Council accept the General Warranty Deed and authorize payment.

Funding for the City's share of the Right of Way cost will be from the 2014 Streets GO Bond.

**Cost: \$35,000.00 (\$28,000.00 to be reimbursed by ODOT)**

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

**Reviewed By: Finance Department  
Assistant City Manager - Operations  
Legal Department**

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

**Attachments: Summary of Acquisition  
Warranty Deed  
Resolution No. 999**

**Recommendation:**

Approve Resolution No. 999 and authorize its execution.