



City of Broken Arrow

Request for Action

File #: 18-1264, **Version:** 1

Broken Arrow City Council
Meeting of: 11-05-2018

Title:

Approval of and authorization to execute Resolution No. 1163, a Resolution of Necessity to Condemn Property located in the Northwest Quarter of Section 7, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma for the 23rd Street: Houston to Kenosha, widening project. Parcel 9 (Project No. ST0914)

Background:

The right-of-way acquisition for the 23rd Street, Kenosha to Houston, 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 attempted unsuccessfully to negotiate with CWP, Inc., for Parcel 9, generally located on the northwest corner of East College Street and Old Highway 51 in Section 7, Township 18 North, Range 15 East. 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 right-of-way payments and ODOT will reimburse the City for 80 percent of the cost. The attached Resolution of Necessity No. 1163 recommends that condemnation proceed on Parcel 9 for Fee Simple Permanent Right-of-Way.

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

Cost: To be determined

Funding Source: Funding for this project is from the G.O. Bond 2014.

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

Approved By: Michael L. Spurgeon, City Manager

Attachments: Resolution No. 1163
Right of Way Agent's Report
Parcel 9 legal

Recommendation:

Approval and authorize execution of Resolution No. 1163.