



City of Broken Arrow

Request for Action

File #: 19-248, Version: 1

**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 177th 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.