



City of Broken Arrow

Request for Action

File #: 19-249, **Version:** 1

Broken Arrow City Council
Meeting of: 2-19-2019

Title:

Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1189, a Resolution of Necessity to Condemn Property that is generally located at 12944 South 185th East Avenue, Broken Arrow, in the Southwest Quarter of Section 1, T-17-N, R-14-E of the Indian Meridian, Tulsa County, Oklahoma, for the County Line Trunk Sewer Replacement, (Project No. S.1609)

Background:

An informational letter sent to the landowner on July 31 2018, detailing the improvements, introducing the right of way agent along with a donation certificate, owner contact form along with property exhibit. On 10/24/18, an offer letter based on market analysis sent to the landowner for a Temporary Construction Easement for \$62.00. On 11/8/18, 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 \$100.00. The Temporary Construction Easement acquisition for the County Line Trunk Sewer replacement project approved for funding with the OWRB loan. The City's right-of-way agent has attempted unsuccessfully to negotiate with Margaret Crawford for Parcel 2A.1, generally located at 12944 S 185th E Avenue, Broken Arrow, Oklahoma, Section 1, Township 17 North, Range 14 East. The attached Resolution of Necessity No. 1189 authorizes that condemnation proceed on Parcel 2A.1, for a Temporary Construction Easement.

Cost: \$100.00 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. 1189
Right of Way Agent's Report
Offer Letter
Parcel 2A.1, Survey

Recommendation:

Approve Resolution No. 1189 and authorize its execution.