



City of Broken Arrow

Request for Action

File #: 19-700, Version: 1

**Broken Arrow City Council
Meeting of: 06-03-2019**

Title:

Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1235, a Resolution of Necessity to Condemn Property generally located at 11100 S 193rd East Avenue, Broken Arrow, in the Northeast Quarter of Section 36, T-18-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 SF Properties LLC, the listed property owner on 07/31/18, detailing the improvements, introducing the right of way agent along with a donation certificate, owner contact form along with property exhibit. From 08/31/18 through 11/30/18, Karen Pax attempted to contact Steven Snead, the representative for SF Properties, LLC, by email and phone to no avail. On 12/3/18, Karen Pax received an email from Steven Snead advising me that he has received my correspondence and refers me to his attorney, R. Lou Reynolds. From 12/3/18 to 5/4/2019, Karen Pax and Tammy Ewing has been interacting by phone and email with R. Lou Reynolds, providing information and documents as requested, with no progress made on a negotiated settlement.. An offer letter was sent to the property owner on 10/26/2018 for a Utility Easement and Temporary Construction Easement in the amount of \$7,660.00 based on Market Analysis. On 2/12/2019 an appraisal was received that valued the easements at \$5,361.00. The attached Resolution of Necessity No. 1235 authorizes that condemnation proceed on Parcel 19.0, for a Utility Easement and Parcel 19.1 for a Temporary Construction Easement.

Cost: \$5,361.00 plus costs

Funding Source: OWRB Loan.

Requested By: Alex Mills, P.E., CFM, Engineering and Construction Director

Approved By: City Manager Office

Attachments: Resolution No. 1235
Right of Way Agent's Report
Parcel 19.0 Survey Exhibit
Parcel 19.1 Survey Exhibit

Recommendation:

Approve Resolution No. 1235 and authorize its execution.