

RESOLUTION

RESOLUTION DECLARING THE NECESSITY FOR ACQUIRING CERTAIN PERMANENT AND TEMPORARY EASEMENTS LOCATED IN SECTION 27 OF TOWNSHIP 11 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA; AUTHORIZING, INSTRUCTING, AND DIRECTING THE CITY MANAGER TO ACQUIRE SAID PERMANENT AND TEMPORARY EASEMENTS FOR STREET ENHANCEMENT IMPROVEMENTS AND USES INCIDENTAL THEREOF, FOR PROJECT PC-0763, RESIDENTIAL SIDEWALKS AND PAVEMENT REPAIRS, SW 59TH STREET FROM SOUTH WALKER AVENUE TO SOUTH HIGH AVENUE, BY PURCHASE AND SETTLEMENT OF DAMAGES WITH THE LAND OWNERS; AUTHORIZING, INSTRUCTING AND DIRECTING THE MUNICIPAL COUNSELOR TO CONDEMN SAID PROPERTY FOR SAID PURPOSES IF SAID PERMANENT AND TEMPORARY EASEMENTS CANNOT BE PURCHASED AND THE DAMAGES SETTLED BY AGREEMENT WITH THE LAND OWNERS.

WHEREAS, on this 15th day of August, 2023, it is deemed necessary and advisable by the City of Oklahoma City to acquire certain permanent and temporary easements located in Oklahoma County, Oklahoma, for Project PC-0763, residential sidewalks and pavement repairs, SW 59th Street from South Walker Avenue to South High Avenue, and uses incidental thereof for the use and the benefit of the City of Oklahoma City; and

WHEREAS, said parcels of permanent and temporary easements described as follows:

See Attachment “A” Attached hereto and made a part hereof;

WHEREAS, said easements are not owned by the City of Oklahoma City and it is deemed necessary for the City to acquire said described permanent and temporary easements for the purposes of said project; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Oklahoma City that the City of Oklahoma City, pursuant to its power of eminent domain, takes immediate steps to acquire the above described permanent and temporary easements for the purposes of constructing, operating, maintaining, repairing, expanding, and replacing public streets and water and wastewater systems and associated facilities, connections, utilities, sidewalks, drainage, storm water, traffic controls, and appurtenances thereto (collectively Streets and Utility Systems) over,

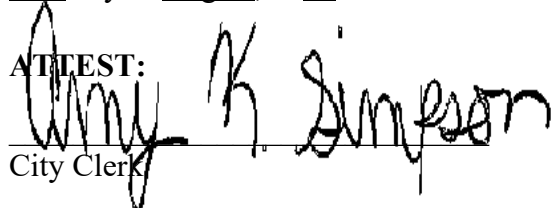
across, under and to said property, including the right of ingress and egress to and from the described easements plus, all right, title and interest in and to all land, soil, earthen material, vegetation, trees, fixtures, and appurtenances with the boundaries of the described easements, incidentally, removed during the use of said easements;

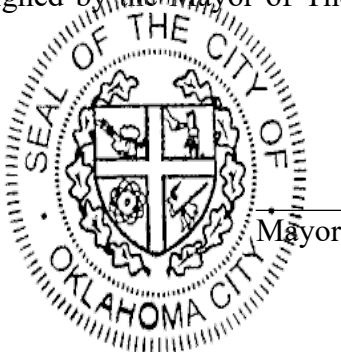
BE IT FURTHER RESOLVED that the City Manager of the City of Oklahoma City be, and is hereby instructed, authorized, and directed to immediately negotiate with the owners of the above described real property and purchase said permanent and temporary easements for the purposes described above for said project and settle the damages, if any, the owners thereof will sustain by reason of the appropriation and the taking thereof for the public purposes aforesaid;

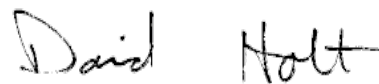
AND BE IT FURTHER RESOLVED in the event the City Manager is unable to secure the above described permanent and temporary easements or any part thereof, the Municipal Counselor of the City of Oklahoma City be, and is hereby authorized, instructed, and directed to institute condemnation proceeding against the owner(s) of said real property under the power of eminent domain for said purposes and to take such further legal steps or proceeding as may, in his judgment, appear to be proper to acquire said permanent and temporary easements for said purposes, and the immediate possession thereof.

AND BE IT FINALLY RESOLVED, as it is immediately necessary for the preservation of the peace, health, and safety of the City of Oklahoma City and the inhabitants thereof by reason whereof this resolution shall take effect and be in force from and after its passage, as provided by law.

ADOPTED by the Council and signed by the Mayor of The City of Oklahoma City this 15th day of August, 2023.

ATTEST:

City Clerk




Mayor

Reviewed for form and legality.


Assistant Municipal Counselor

Attachment “A”

ATTACHMENT "A"

PERMANENT RIGHT OF WAY EASEMENT

A PERMANENT EASEMENT LYING IN PART OF BLOCK THREE (3) IN SHARTEL SOUTH ADDITION TO OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK THREE (3);

THENCE N 90°00'00" W, ALONG THE NORTH LINE OF SAID BLOCK THREE (3), A DISTANCE OF 15.00 FEET TO THE **POINT OF BEGINNING**;

THENCE S 00°00'00" E, ON A LINE BEING PARALLEL WITH AND 15.00 FEET WEST OF THE EAST LINE OF SAID BLOCK THREE (3), A DISTANCE OF 16.50 FEET;

THENCE N 90°00'00" W, ON A LINE BEING PARALLEL WITH AND 16.50 FEET SOUTH OF THE NORTH LINE OF SAID BLOCK THREE (3), A DISTANCE OF 15.50 FEET;

THENCE N 42°34'02" W, A DISTANCE OF 22.40 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK THREE (3);

THENCE S 90°00'00" E, ALONG THE NORTH LINE OF SAID BLOCK THREE (3), A DISTANCE OF 30.79 FEET TO THE **POINT OF BEGINNING**;

CONTAINING (381.89 SQ. FT) AS DESCRIBED.

BASIS OF BEARINGS:

RECORD NORTH BASED ON THE PLATTED BEARINGS OF "SHARTEL SOUTH ADDITION"

THIS DESCRIPTION WAS PREPARED BY:

SHANE D. CARROLL, PLS #1981

ELEVATION LAND SURVEYING, CA #8524

ATTACHMENT "A"
Continued

TEMPORARY RIGHT OF WAY EASEMENT

A TEMPORARY EASEMENT LYING IN PART OF BLOCK THREE (3) IN SHARTEL SOUTH ADDITION TO OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK THREE (3);
THENCE N 90°00'00" W, ALONG THE NORTH LINE OF SAID BLOCK THREE (3), A DISTANCE OF 71.45 FEET TO THE **POINT OF BEGINNING**;
THENCE S 00°00'00" E A DISTANCE OF 5.00 FEET;
THENCE N 90°00'00" W, ON A LINE BEING PARALLEL WITH AND 5.00 FEET SOUTH OF THE NORTH LINE OF SAID BLOCK THREE (3), A DISTANCE OF 41.73 FEET;
THENCE N 00°00'00" W, A DISTANCE OF 5.00 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK THREE (3);
THENCE S 90°00'00" E, ALONG THE NORTH LINE OF SAID BLOCK THREE (3), A DISTANCE OF 41.73 FEET TO THE **POINT OF BEGINNING**;

CONTAINING (208.65 SQ. FT) AS DESCRIBED.

BASIS OF BEARINGS:

RECORD NORTH BASED ON THE PLATTED
BEARINGS OF "SHARTEL SOUTH ADDITION"

THIS DESCRIPTION WAS PREPARED BY:

SHANE D. CARROLL, PLS #1981
ELEVATION LAND SURVEYING, CA #8524