

## **RESOLUTION**

**RESOLUTION DECLARING THE NECESSITY FOR ACQUIRING CERTAIN PERMANENT AND TEMPORARY EASEMENTS LOCATED IN SECTION 33 OF TOWNSHIP 12 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-0701, STREET ENHANCEMENTS, NORTH CLASSEN BOULEVARD FROM NW 10TH STREET TO WEST SHERIDAN 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 23rd day of May, 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-0701, North Classen Boulevard from NW 10<sup>th</sup> Street to West Sheridan Avenue, and uses incidental thereof for the use and the benefit of the City of Oklahoma City; and

**WHEREAS**, said parcels of permanent 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 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 23rd day of May, 2023.

ATTEST:

City Clerk

*Amy K. Simpson*



Vice-Mayor

*[Signature]*

Reviewed for form and legality.

Assistant Municipal Counselor

*Chris Hall*

# Attachment “A”

**ATTACHMENT "A"**

PERMANENT RIGHT OF WAY EASEMENT

A PERMANENT EASEMENT LYING IN PART OF LOT TWENTY-NINE (29), A PART OF LOT ONE (1), AND A PART OF THE VACATED ALLEY ADJACENT THERETO, ALL IN BLOCK TWENTY-TWO (22), SECOND MAIN STREET ADDITION TO OKLAHOMA CITY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A POINT 12.30 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT TWENTY-NINE (29);

**THENCE** N 00°08'43" E, ALONG THE EAST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, ALSO BEING ALONG THE WEST LINE OF A PROPERTY DESCRIBED IN BOOK 4324 PAGE 1540 AS RECORDED IN THE OKLAHOMA COUNTY PUBLIC RECORDS, A DISTANCE OF 150.00 FEET TO A POINT ON THE CENTER LINE OF THE ADJACENT ALLEY (NOW VACATED);

**THENCE** CONTINUING N 00°08'43" E, ALONG THE EAST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, ALSO BEING ALONG THE WEST LINE OF A PROPERTY DESCRIBED IN BOOK 4324 PAGE 1538 AS RECORDED IN THE OKLAHOMA COUNTY PUBLIC RECORDS, A DISTANCE OF 30.50 FEET TO A POINT ON THE NORTHERLY LINE OF LOT ONE (1) IN BLOCK TWENTY-TWO (22), SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF NW 2ND STREET;

**THENCE** S 72°30'16" E, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF NW 2ND STREET AND ALONG THE NORTHERLY LINE OF SAID LOT ONE (1), ALSO BEING ALONG THE NORTH LINE OF AFOREMENTIONED PROPERTY, A DISTANCE OF 4.83 FEET;

**THENCE** S 00°34'43" E, DEPARTING SAID SOUTH SOUTHERLY RIGHT-OF-WAY LINE OF NW 2ND STREET, A DISTANCE OF 179.07 FEET TO A POINT ON THE SOUTH LINE OF LOT TWENTY-NINE (29) IN BLOCK TWENTY-TWO (22);

**THENCE** N 89°53'37" W, ALONG THE SOUTH LINE OF SAID LOT TWENTY-NINE (29), ALSO BEING ALONG THE NORTH RIGHT-OF-WAY LINE OF NW 1ST STREET, A DISTANCE OF 6.87 FEET TO THE **POINT OF BEGINNING**.

CONTAINING (1,031.42 SQ. FT) AS DESCRIBED.

**BASIS OF BEARINGS:**

GRID NORTH BASED ON NAD-83 OKLAHOMA  
STATE PLANE COORDINATE SYSTEM NORTH ZONE

**THIS DESCRIPTION WAS PREPARED BY:**

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

**ATTACHMENT "A"**

PERMANENT RIGHT OF WAY EASEMENT

A PERMANENT EASEMENT LYING IN PART OF LOT SEVENTEEN (17) BLOCK TWENTY-ONE (21) IN SECOND MAIN STREET ADDITION TO OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT THE SOUTHEAST CORNER OF LOT SEVENTEEN (17) BLOCK TWENTY-ONE (21) OF SAID SECOND MAIN STREET ADDITION;

**THENCE** N 09°02'12" W, ALONG THE EAST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, ALSO BEING ALONG THE WEST LINE OF A PROPERTY DESCRIBED IN BOOK 4402 PAGE 1078 AS RECORDED IN THE OKLAHOMA COUNTY PUBLIC RECORDS, A DISTANCE OF 58.52 FEET TO THE **POINT OF BEGINNING**;

**THENCE** CONTINUING N 09°02'12" W, ALONG THE EAST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, ALSO BEING ALONG THE WEST LINE OF SAID PROPERTY, A DISTANCE OF 1.86 FEET;

**THENCE** N 00°03'27" W, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, ALSO BEING ALONG THE WEST LINE OF AFOREMENTIONED PROPERTY, A DISTANCE OF 56.92 FEET;

**THENCE** S 06°51'01" E, DEPARTING SAID EAST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, A DISTANCE OF 44.10 FEET;

**THENCE** S 18°09'40" W, A DISTANCE OF 15.76 FEET TO THE **POINT OF BEGINNING**.

CONTAINING (155.16 SQ. FT) AS DESCRIBED.

**BASIS OF BEARINGS:**

GRID NORTH BASED ON NAD-83 OKLAHOMA  
STATE PLANE COORDINATE SYSTEM NORTH ZONE

**THIS DESCRIPTION WAS PREPARED BY:**

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

**ATTACHMENT "A"**

PERMANENT RIGHT OF WAY EASEMENT

A PERMANENT EASEMENT LYING IN PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-THREE (33), TOWNSHIP TWELVE (12) NORTH RANGE THREE (3) WEST OF THE I.M., OKLAHOMA COUNTY, OKLAHOMA, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A POINT OF INTERSECTION OF THE FORMER NORTH RIGHT-OF-WAY LINE OF THE CHICAGO ROCK ISLAND & PACIFIC RAILWAY COMPANY AND THE EAST RIGHT-OF-WAY LINE OF N CLASSEN BLVD;

**THENCE** N 72°54'23" W, ALONG THE FORMER NORTH RIGHT-OF-WAY LINE OF THE CHICAGO ROCK ISLAND & PACIFIC RAILWAY COMPANY AND THE EAST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, A DISTANCE OF 9.71 FEET;

**THENCE** N 03°05'28" E, DEPARTING FROM THE FORMER NORTH RIGHT-OF-WAY LINE OF THE CHICAGO ROCK ISLAND & PACIFIC RAILWAY COMPANY AND CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, ALSO BEING ALONG THE WEST LINE OF A PROPERTY DESCRIBED IN BOOK 5470 PAGE 1639 AS RECORDED IN THE OKLAHOMA COUNTY PUBLIC RECORDS, A DISTANCE OF 124.65 FEET;

**THENCE** N 58°30'48" E, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, ALSO BEING ALONG THE WEST LINE OF AFOREMENTIONED PROPERTY, A DISTANCE OF 39.22 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF ROBERT S KERR AVE (FORMERLY KNOWN AS SECOND STREET);

**THENCE** S 70°50'31" E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF ROBERT S KERR AVE, ALSO BEING ALONG THE NORTH LINE OF AFOREMENTIONED PROPERTY, A DISTANCE OF 8.30 FEET;

**THENCE** S 32°17'59" W, DEPARTING SAID SOUTH RIGHT-OF-WAY LINE OF ROBERT S KERR AVE, A DISTANCE OF 55.60 FEET;

**THENCE** S 05°15'02" W, A DISTANCE OF 98.50 FEET TO THE **POINT OF BEGINNING**.

CONTAINING (2,118.58 SQ. FT) AS DESCRIBED.

**BASIS OF BEARINGS:**

GRID NORTH BASED ON NAD-83 OKLAHOMA  
STATE PLANE COORDINATE SYSTEM NORTH ZONE

**THIS DESCRIPTION WAS PREPARED BY:**

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ELEVATION LAND SURVEYING, CA #8524

**ATTACHMENT "A"**

PERMANENT RIGHT OF WAY EASEMENT

A PERMANENT EASEMENT LYING IN PART OF LOT ONE (1) AND PART OF LOT TWO (2) ALL IN BLOCK TWENTY-TWO (22) IN SECOND MAIN STREET ADDITION TO OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF LOT TWO (2) BLOCK TWENTY-TWO (22) OF SAID SECOND MAIN STREET ADDITION;

**THENCE** S 89°53'36" E, ALONG THE SOUTH LINE OF SAID BLOCK TWENTY-TWO (22), A DISTANCE 20.00 FEET TO THE **POINT OF BEGINNING**;

**THENCE** CONTINUING S 89°53'36" E, ALONG THE SOUTH LINE OF SAID BLOCK TWENTY-TWO (22), A DISTANCE OF 13.31 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF A PROPERTY DESCRIBED IN BOOK 5564 PAGE 161 AS RECORDED IN THE OKLAHOMA COUNTY PUBLIC RECORDS;

**THENCE** N 03°34'25" W, ALONG THE WEST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, ALSO BEING ALONG THE EAST LINE OF SAID PROPERTY, A DISTANCE OF 47.95 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF NW 2ND STREET;

**THENCE** N 73°05'22" W, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF NW 2ND STREET, ALSO BEING ALONG THE NORTHERLY LINE OF THE AFOREMENTIONED PROPERTY, A DISTANCE OF 10.29 FEET;

**THENCE** S 00°32'26" W, DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE OF NW 2ND STREET, A DISTANCE OF 50.83 FEET TO THE **POINT OF BEGINNING**.

CONTAINING (569.28 SQ. FT) AS DESCRIBED.

**BASIS OF BEARINGS:**

GRID NORTH BASED ON NAD-83 OKLAHOMA  
STATE PLANE COORDINATE SYSTEM NORTH ZONE

**THIS DESCRIPTION WAS PREPARED BY:**

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ELEVATION LAND SURVEYING, CA #8524



**ATTACHMENT "A"**

PERMANENT RIGHT OF WAY EASEMENT

A PERMANENT EASEMENT LYING IN A PART OF THE FORMER CHICAGO ROCK ISLAND AND PACIFIC RAILROAD RIGHT-OF-WAY, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT THE NORTHEAST CORNER OF LOT TWENTY-ONE (21) BLOCK TWENTY-ONE (21) IN SECOND MAIN STREET ADDITION TO OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA;

**THENCE** S 73°05'41" E, ALONG THE NORTHERLY LINE EXTENDED OF SAID BLOCK TWENTY-ONE (21), ALSO BEING ALONG THE WEST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, A DISTANCE OF 12.70 FEET;

**THENCE** N 00°08'43" E, CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, ALSO ALONG A LINE BEING PARALLEL TO THE EAST LINE OF LOT TWENTY-ONE (21) IN SAID BLOCK TWENTY-ONE (21), SAID LINE ALSO BEING ALONG THE EAST LINE OF A PROPERTY AS DESCRIBED IN BOOK 5564 PAGE 163 AS RECORDED IN THE OKLAHOMA COUNTY PUBLIC RECORDS, A DISTANCE OF 41.76 FEET;

**THENCE** N 73°05'41" W, CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, ALSO ALONG A LINE BEING PARALLEL TO THE NORTHERLY LINE OF SAID BLOCK TWENTY-ONE (21), SAID LINE ALSO BEING ALONG THE NORTH LINE OF AFOREMENTIONED PROPERTY, A DISTANCE OF 12.70 FEET;

**THENCE** S 00°08'43" W, DEPARTING SAID WEST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, ALSO ALONG A LINE BEING PARALLEL TO THE EAST LINE OF LOT TWENTY-ONE (21) IN SAID BLOCK TWENTY-ONE (21), A DISTANCE OF 41.76 FEET TO THE **POINT OF BEGINNING**.

CONTAINING (507.81 SQ. FT) AS DESCRIBED.

**BASIS OF BEARINGS:**

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**THIS DESCRIPTION WAS PREPARED BY:**

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ELEVATION LAND SURVEYING, CA #8524

**ATTACHMENT "A"**

PERMANENT RIGHT OF WAY EASEMENT

A PERMANENT EASEMENT LYING IN PART OF LOT TWENTY-FOUR (24), A PART OF LOT ONE (1), AND A PART OF THE VACATED ALLEY ADJACENT THERETO, ALL IN BLOCK FIFTEEN (15), NORTHWEST ADDITION TO OKLAHOMA CITY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF LOT TWENTY-FOUR (24) IN BLOCK FIFTEEN (15) OF SAID NORTHWEST ADDITION;

**THENCE** S 00°07'50" W, ALONG THE EAST LINE OF SAID BLOCK FIFTEEN (15), ALSO BEING ALONG THE WEST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, SAID LINE ALSO BEING ALONG THE EAST LINE OF A PROPERTY DESCRIBED IN BOOK 12504 PAGE 781 AS RECORDED IN THE OKLAHOMA COUNTY PUBLIC RECORDS, A DISTANCE OF 59.45 FEET TO **THE POINT OF**

**BEGINNING;**

**THENCE** CONTINUING S 00°07'50" W, ALONG THE EAST LINE OF SAID BLOCK FIFTEEN (15), ALSO BEING ALONG THE WEST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, SAID LINE ALSO BEING ALONG THE EAST LINE OF AFOREMENTIONED PROPERTY, A DISTANCE OF 105.55 FEET TO A POINT 5.00 FEET SOUTH OF THE NORTHEAST CORNER OF LOT ONE (1) IN BLOCK FIFTEEN (15) OF SAID NORTHWEST ADDITION;

**THENCE** N 88°33'40" W, DEPARTING SAID EAST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, ALONG A LINE BEING PARALLEL AND 5.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT ONE (1), A DISTANCE OF 5.58 FEET;

**THENCE** N 00°07'50" E, ALONG A LINE BEING PARALLEL WITH AND 5.58 FEET WEST OF THE EAST LINE OF BLOCK FIFTEEN (15) OF SAID NORTHWEST ADDITION, A DISTANCE OF 105.55 FEET;

**THENCE** S 88°33'40" E, ALONG A LINE BEING PARALLEL WITH THE SOUTH LINE OF LOT TWENTY-FOUR (24) IN BLOCK FIFTEEN (15) OF SAID NORTHWEST ADDITION, A DISTANCE OF 5.58 FEET TO THE **POINT OF BEGINNING.**

CONTAINING (588.96 SQ. FT) AS DESCRIBED.

**BASIS OF BEARINGS:**

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STATE PLANE COORDINATE SYSTEM NORTH ZONE

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**ATTACHMENT "A"**

PERMANENT RIGHT OF WAY EASEMENT

A PERMANENT EASEMENT LYING IN PART OF LOT TWENTY-FOUR (24), ALL IN BLOCK THREE (3), NORTHWEST ADDITION TO OKLAHOMA CITY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF LOT TWENTY-FOUR (24) IN BLOCK THREE (3) OF SAID NORTHWEST ADDITION;

**THENCE** S 00°07'50" W, ALONG THE EAST LINE OF SAID LOT TWENTY-FOUR (24), ALSO BEING ALONG THE WEST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, SAID LINE ALSO BEING ALONG THE EAST LINE OF A PROPERTY DESCRIBED IN BOOK 12055 PAGE 98 AS RECORDED IN THE OKLAHOMA COUNTY PUBLIC RECORDS, A DISTANCE OF 50.20 FEET TO **THE POINT OF BEGINNING**;

**THENCE** CONTINUING S 00°07'50" W, ALONG THE EAST LINE OF SAID LOT TWENTY-FOUR (24), ALSO BEING ALONG THE WEST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, SAID LINE ALSO BEING ALONG THE EAST LINE OF AFOREMENTIONED PROPERTY, A DISTANCE OF 130.37 FEET;

**THENCE** N 89°52'10" W, DEPARTING SAID EAST RIGHT-OF-WAY LINE OF N CLASSEN BLVD, A DISTANCE OF 8.80 FEET;

**THENCE** N 00°07'50" E, ALONG A LINE BEING PARALLEL WITH AND 8.80 FEET WEST OF THE EAST LINE OF SAID LOT TWENTY-FOUR (24), A DISTANCE OF 130.37 FEET;

**THENCE** S 89°52'10" E, A DISTANCE OF 8.80 FEET TO THE **POINT OF BEGINNING**.

CONTAINING (1,147.25 SQ. FT) AS DESCRIBED.

**BASIS OF BEARINGS:**

GRID NORTH BASED ON NAD-83 OKLAHOMA  
STATE PLANE COORDINATE SYSTEM NORTH ZONE

**THIS DESCRIPTION WAS PREPARED BY:**

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