

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 EASEMENT 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 9TH day of APRIL, 2024, 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 10th 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
9TH day of APRIL, 2024.

ATTEST:
Amy K. Simpson
City Clerk



David Holt
Mayor

Reviewed for form and legality.

Patricia Mann
Assistant Municipal Counselor

Attachment “A”

ATTACHMENT A
PERMENANT EASEMENT
FOR CLASSEN BOULEVARD
PART OF LOTS 25 AND 26, BLOCK 22
SECOND MAIN STREET ADDITION
OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA

A strip of land being a part of Lots Twenty-Five (25) and Twenty-Six (26), Block Twenty-Two (22), SECOND MAIN STREET ADDITION, an Addition to Oklahoma City, Oklahoma County, Oklahoma, recorded in Book 2 of Plats, Page 44, being more particularly described as follows:

COMMENCING at southwest corner of said Block 22;

THENCE South 89°53'37" East, along the south line of said Block, a distance of 299.84 feet to a point being 0.16 feet North 89°53'37" West of the southeast corner of Lot 25 in said Block 22 and the POINT OF BEGINNING;

THENCE North 45°25'02" East a distance of 9.20 feet;

THENCE North 02°48'56" West a distance of 133.70 feet to a point on the north line of said Lot 25;

THENCE South 89°53'37" East, along portions of the north line of said Lots 25 and 26, a distance of 8.39 feet;

THENCE South 03°32'29" East a distance of 140.28 feet to a point on the south line of said Lot 26;

THENCE North 89°53'37" West, along the portions of the south line of said Lots 26 and 25, a distance of 17.04 feet to the POINT OF BEGINNING.

Said described strip of land contains an area of 1,321 square feet or 0.0303 acres, more or less.

The basis of bearings for this legal description was the Oklahoma State Plane Coordinate System (NAD83-North Zone) using a bearing of South 89°53'37" East on the south line of Block 22, SECOND MAIN STREET ADDITION.

Prepared by: Randall A. Mansfield, Professional Land Surveyor No. 1613

Date : March 7, 2024



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ENGINEERING - SURVEYING
CERTIFICATE OF AUTHORIZATION NO: 6414
EXPIRES JUNE 30, 2024