

RESOLUTION

RESOLUTION DECLARING THE NECESSITY FOR ACQUIRING CERTAIN PERMANENT AND TEMPORARY EASEMENTS LOCATED IN SECTION 32 OF TOWNSHIP 12 NORTH, RANGE 5 WEST OF THE INDIAN MERIDIAN, OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA; AUTHORIZING, INSTRUCTING, AND DIRECTING THE CITY MANAGER TO ACQUIRE SAID PERMANENT EASEMENT FOR ROADWAY WIDENING IMPROVEMENTS AND USES INCIDENTAL THEREOF, FOR PROJECT PC-0760, ROADWAY WIDENING IMPROVEMENTS, NORTH CEMETERY ROAD FROM WEST RENO AVENUE TO NW 10TH STREET, 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 EASEMENTS CANNOT BE PURCHASED AND THE DAMAGES SETTLED BY AGREEMENT WITH THE LAND OWNERS.

WHEREAS, on this 13TH day of AUGUST, 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-0760, Roadway Widening, North Cemetery Road from West Reno Avenue to NW 10th Street, 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 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 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 13TH day of AUGUST, 2024

ATTEST:

Amy K Simpson
City Clerk



David Holt
Mayor

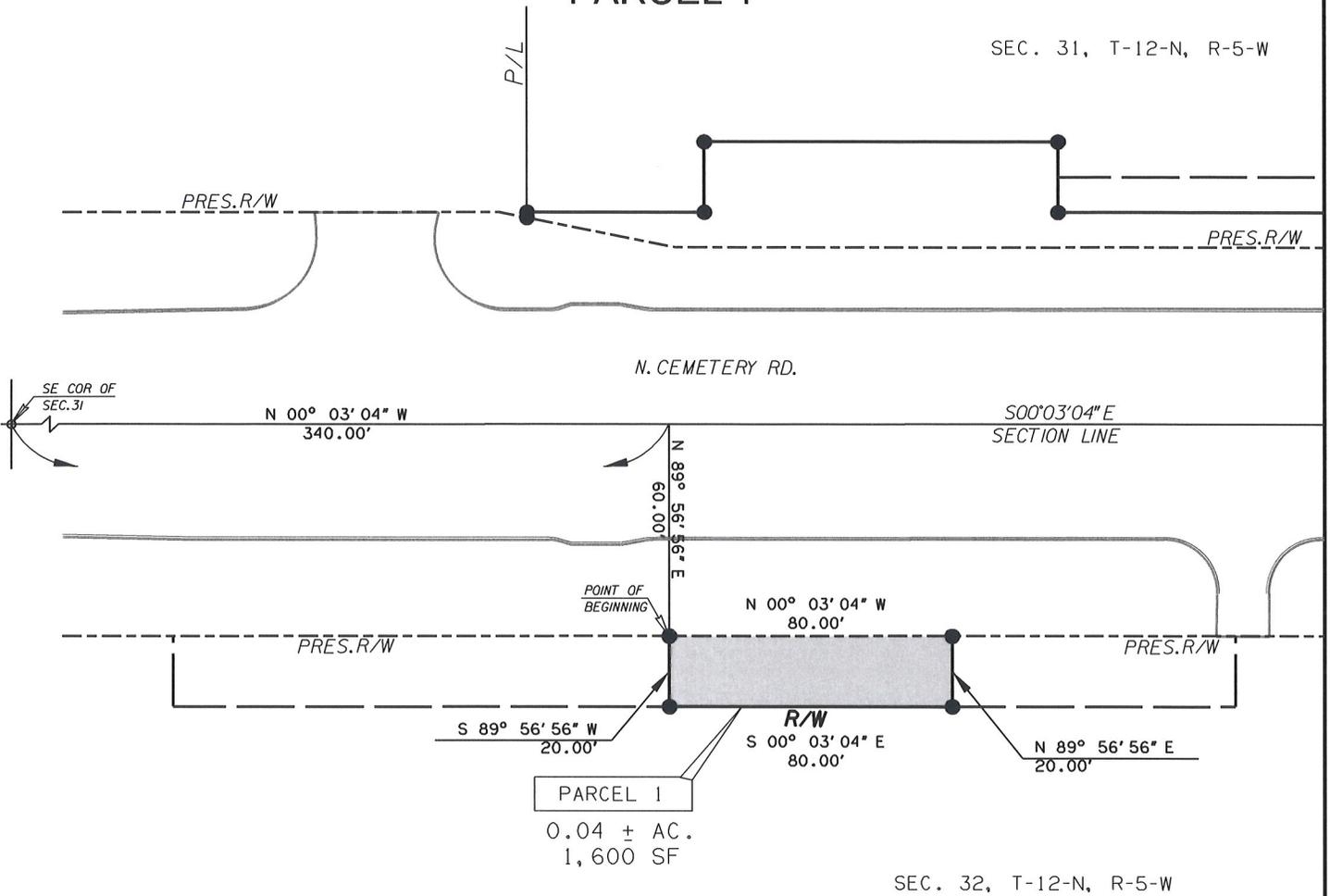
Reviewed for form and legality.

Susan Randall
Assistant Municipal Counselor

ATTACHMENT A

PARCEL 1

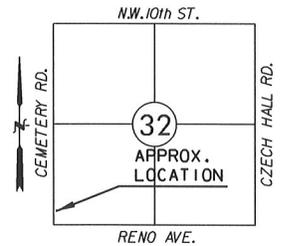
SEC. 31, T-12-N, R-5-W



PARCEL 1
0.04 ± AC.
1,600 SF

SEC. 32, T-12-N, R-5-W

BMI SYSTEMS CORP.
(BK-4244 PG.6-8)



LEGAL DESCRIPTION:

A STRIP, PIECE OR PARCEL OF LAND LYING IN PART OF THE SW1/4 OF SECTION 32, T12N, R5W IM IN CANADIAN COUNTY, OKLAHOMA. SAID PARCEL OF LAND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE PRESENT EAST RIGHT-OF-WAY LINE OF N. CEMETERY ROAD A DISTANCE OF 340.00 FEET N 00°03'04"W OF AND 60.00 FEET N 89°56'56"E OF THE SW CORNER OF SAID SW1/4, THENCE N 00°03'04" W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 80.00 FEET, THENCE N 89°56'56"E A DISTANCE OF 20.00 FEET, THENCE S 00°03'04" E A DISTANCE OF 80.00 FEET, THENCE S 89°56'56" W A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1600 SQUARE FEET (0.04 ACRES) MORE OR LESS.

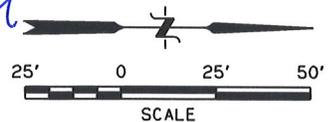
ALL BEARINGS CONTAINED IN THIS DESCRIPTION ARE BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM AND ARE NOT ASTRONOMICAL BEARINGS.

THIS DESCRIPTION WAS PREPARED BY:

JUSTIN L. TALCOTT, P.L.S. #1646

Justin L. Talcott

 JUSTIN LEE TALCOTT
 1646
 OKLAHOMA



This sketch is not a boundary survey. It is intended to show the configuration of proposed easements. It should not be used to locate property lines and does not meet the Minimum Standards for Property Boundary Surveys.

PREPARED AND SUBMITTED BY: POE & ASSOCIATES INC. Oklahoma City, Oklahoma CA NO. 541	DATE: 02/15/2024
	N. CEMETERY RD. AT NW 10th ST. ROADWAY AND UTILITY EASEMENT
ATTACHMENT "A"	
PROJ. NO. <u>PC-0760</u>	

PARCEL 2

N 89° 11' 42" E
10.00'

LEGAL DESCRIPTION:

A STRIP, PIECE OR PARCEL OF LAND LYING IN PART OF THE SE1/4 OF SECTION 31, T12N, R5W 1M IN CANADIAN COUNTY, OKLAHOMA. SAID PARCEL OF LAND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE PRESENT WEST RIGHT-OF-WAY LINE OF N. CEMETERY ROAD A DISTANCE OF 299.98 FEET N 00°03'04"W OF AND 58.44 FEET S 89°56'56"W OF THE SE CORNER OF SAID SE1/4, THENCE S 89°57'08" W A DISTANCE OF 1.56 FEET, THENCE N 00°03'04"W A DISTANCE OF 50.02 FEET, THENCE S 89°56'56"W A DISTANCE OF 20.00 FEET, THENCE N 00°03'04' W A DISTANCE OF 100.00 FEET, THENCE N 89°56'56" E A DISTANCE OF 20.00 FEET, THENCE N 00°03'04' W A DISTANCE OF 588.31 FEET, THENCE N 89°11'42"E A DISTANCE OF 10.00 FEET TO A POINT ON THE PRESENT WEST RIGHT-OF-WAY LINE OF N. CEMETERY ROAD, THENCE S 00°03'04" E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 696.29 FEET, THENCE S 11°16'01"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 43.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,206 SQUARE FEET (0.21 ACRES) MORE OR LESS.

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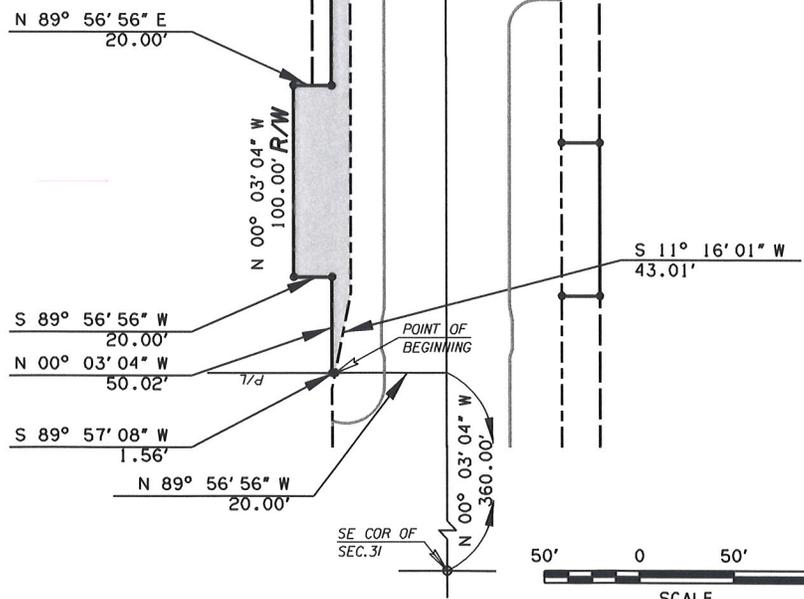
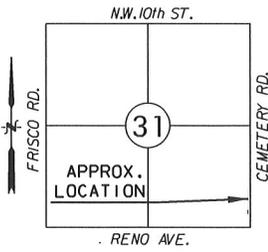
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PARCEL 2
0.21 ± AC.
9,206 SF

MILESTONE LAND GROUP LLC
(BK: 2943 PG: 272-274)

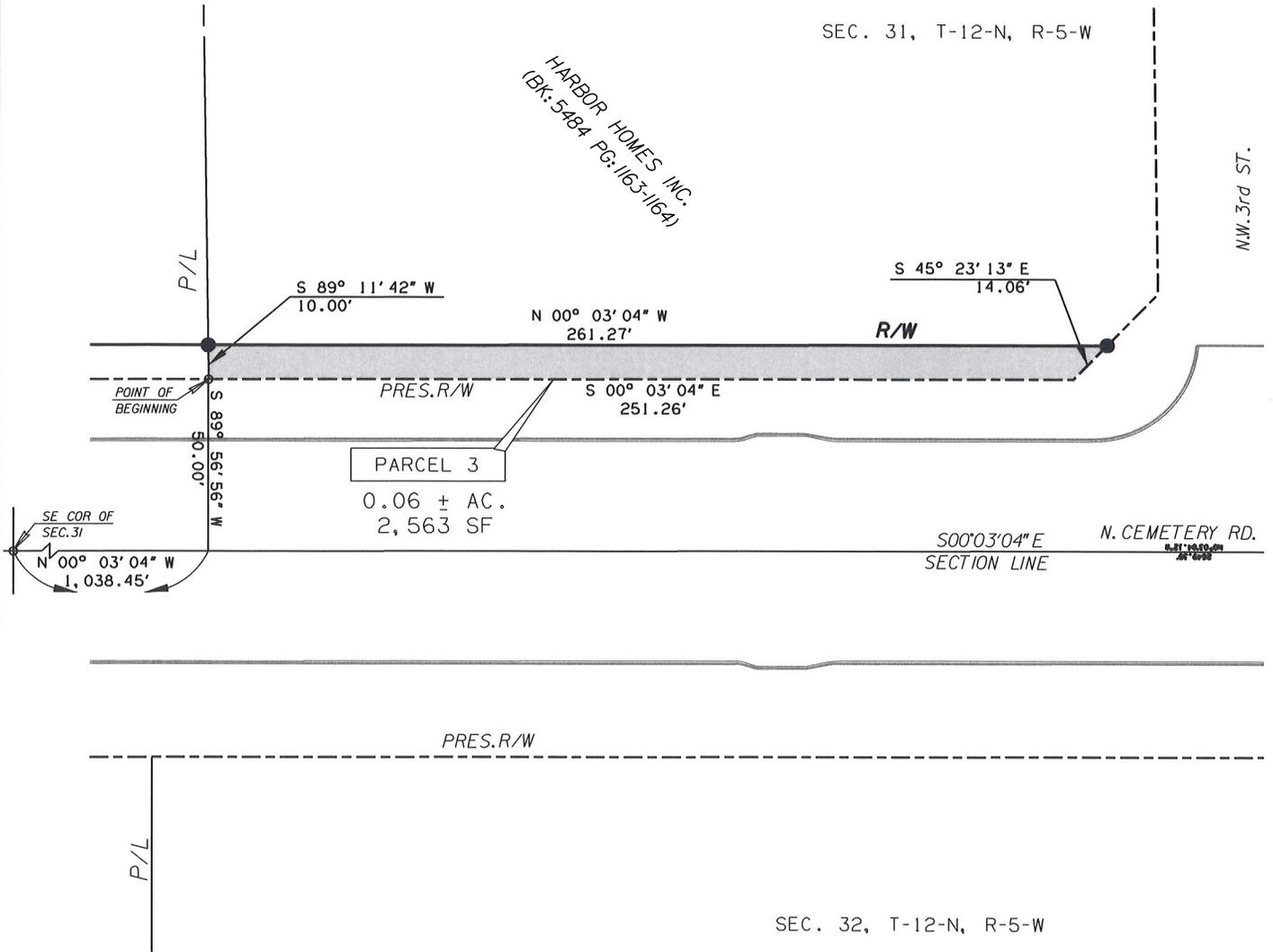


PREPARED AND SUBMITTED BY: POE & ASSOCIATES INC. Oklahoma City, Oklahoma CA NO. 541	DATE: 02/15/2024
	N. CEMETERY RD. AT NW 10th ST. ROADWAY AND UTILITY EASEMENT
ATTACHMENT "B"	
PROJ. NO. <u>PC-0760</u>	

PARCEL 3

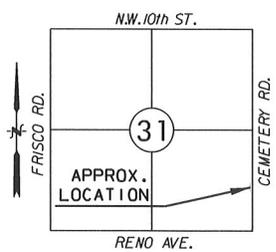
SEC. 31, T-12-N, R-5-W

HARBOR HOMES, INC.
(BK: 5484 PG: 1163-1164)



PARCEL 3
0.06 ± AC.
2,563 SF

SEC. 32, T-12-N, R-5-W



LEGAL DESCRIPTION:

A STRIP, PIECE OR PARCEL OF LAND LYING IN PART OF THE SE1/4 OF SECTION 31, T12N, R5W IM IN CANADIAN COUNTY, OKLAHOMA. SAID PARCEL OF LAND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE PRESENT WEST RIGHT-OF-WAY LINE OF N. CEMETERY ROAD A DISTANCE OF 1,038.45 FEET N 00°03'04"W OF AND 50.00 FEET S 89°56'56"W OF THE SE CORNER OF SAID SE1/4, THENCE S 89°11'42" W A DISTANCE OF 10.00 FEET, THENCE N 00°03'04"W A DISTANCE OF 261.27 FEET TO A POINT ON THE PRESENT WEST RIGHT-OF-WAY LINE OF N. CEMETERY ROAD, THENCE S 45°23'13" E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 14.06 FEET, THENCE S 00°03'04"E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 251.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,563 SQUARE FEET (0.06 ACRES) MORE OR LESS.

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THIS DESCRIPTION WAS PREPARED BY:

JUSTIN L. TALCOTT, P.L.S. #1646

25' 0 25' 50'
SCALE

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	N. CEMETERY RD. AT NW 10th ST. ROADWAY AND UTILITY EASEMENT
ATTACHMENT "C"	
PROJ. NO. PC-0760	