

## **RESOLUTION**

**RESOLUTION DECLARING THE NECESSITY FOR ACQUIRING CERTAIN PERMANENT EASEMENTS LOCATED IN SECTION 5 OF TOWNSHIP 11 NORTH, RANGE 5 WEST OF THE INDIAN MERIDIAN, OKLAHOMA CITY, CANADIAN COUNTY, OKLAHOMA; AUTHORIZING, INSTRUCTING, AND DIRECTING THE CITY MANAGER TO ACQUIRE SAID PERMANENT EASEMENTS FOR ROADWAY WIDENING AND USES INCIDENTAL THEREOF, FOR PROJECT PC-0807, ROADWAY WIDENING , SOUTH CZECH HALL ROAD FROM WEST RENO AVENUE TO SW 15TH 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 17TH day of DECEMBER, 2024, it is deemed necessary and advisable by the City of Oklahoma City to acquire certain permanent easements located in Canadian County, Oklahoma, for Project PC-0807, Roadway widening, 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 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 easement(s), incidentally, removed during the use of said easement(s);

**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 owner(s) of the above described real property and purchase said permanent 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 owners 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 17TH day of DECEMBER, 2024.

**ATTEST:**

Amy K. Simpson  
City Clerk



David Holt  
Mayor

**Reviewed** for form and legality.

A handwritten signature in blue ink, appearing to read "Chris Hall". The signature is stylized with a large, looping "C" and "H".

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Assistant Municipal Counselor

# ATTACHMENT “A”

## ATTACHMENT "A"

### LEGAL DESCRIPTION

Parcel No. 2

Permanent Easement

A tract of land lying in the Southwest Quarter (SW/4) of Section Four (4), Township Eleven (11) North, Range Five (5) West of the Indian Meridian, City of Oklahoma, Canadian County, Oklahoma being more particularly described as follows:

COMMENCING at the Southwest corner of said SW/4;

THENCE North 00°34'25" West, along the west line of said SW/4, a distance of 709.24 feet;

THENCE North 89°26'44" East, to said west line, a distance of 50.00 feet, to a point on the east right-of-way line of N. Czech Hall Road, said point also being the POINT OF BEGINNING;

THENCE North 00°34'25" West, along said east right-of-way line, a distance of 70.46 feet;

THENCE South 45°33'02" East, a distance of 35.37 feet;

THENCE North 89°28'21" East, a distance of 85.00 feet;

THENCE South 79°14'34" East, a distance of 143.63 feet;

THENCE South 00°34'12" East, a distance of 17.24 feet;

THENCE South 89°26'44" West, a distance of 250.83 feet, to the east right-of-way line, said point also being the POINT OF BEGINNING.

Said tract of land contains an area of 9,722 square feet or 0.2232 acres, more or less.

The bearing of North 00°34'25" West as shown on the west line of the Southeast Quarter (SE/4) of Section 5, Township 11 North, Range 5 West, I.M., as established using the Oklahoma State Plane Coordinate System North Zone NAD83 (NSRS 2011), was used as the basis of bearing for this survey.

Prepared by:

Justin Smith, PLS No. 1868

Smith Roberts Baldischwiler, LLC

100 N.E. 5th Street

Oklahoma City, OK 73104

(405) 840-7094

Date: September 3, 2024

## ATTACHMENT "A"

### LEGAL DESCRIPTION

Parcel No. 3

Permanent Easement

A tract of land being a part of Common Area "A", CREEKS AT AVALON SECTION 2, recorded in Book 9 of Plats, Page 286, Canadian County Clerk's office, being more particularly described as follows:

BEGINNING at the Northwest corner of said Common Area "A";

THENCE South 88°19'41" East, along the north line of said Common Area "A", a distance of 25.02 feet;

THENCE South 00°34'25" East, parallel with the west line of said Common Area "A", a distance of 232.18 feet, to a point on the north line of Lot 1, CREEKS AT AVALON SECTION 2;

THENCE North 89°40'29" West, along said north line, a distance of 25.00 feet to said west line of Common Area "A";

THENCE North 00°34'25" West, along said west line, a distance of 232.77 feet to the POINT OF BEGINNING.

Said tract of land contains an area of 5,812 square feet or 0.1334 acres, more or less.

The bearing of North 00°34'25" East as shown on the west line of the Common Area "A", CREEKS AT AVALON SECTION 2, to the City of Oklahoma City, Canadian County, Oklahoma, as established using the Oklahoma State Plane Coordinate System North Zone NAD83 (NSRS 2011), was used as the basis of bearing for this survey.

Prepared by:

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Date: September 3, 2024

## ATTACHMENT "A"

### LEGAL DESCRIPTION

Parcel No. 7.1

Permanent Easement

A tract of land lying in the Northeast Quarter (NE/4) of Section Five (5), Township Eleven (11) North, Range Five (5) West of the Indian Meridian, City of Oklahoma, Canadian County, Oklahoma being more particularly described as follows:

COMMENCING at the Southeast corner of said NE/4;

THENCE North 00°28'26" West, along the east line of said NE/4, a distance of 695.06 feet;

THENCE South 89°31'34" West, perpendicular to said east line, a distance of 75.00 feet, to a point on the north right-of-way line of Westgate, said point also being the POINT OF BEGINNING;

THENCE North 89°52'03" West, along said north right-of-way line, a distance of 193.60 feet;

THENCE North 60°11'02" East, a distance of 115.65 feet;

THENCE South 89°44'01" East, a distance of 92.73 feet;

THENCE North 44°53'46" East, a distance of 35.13 feet, to a point on the west right-of-way line of N. Czech Hall Road;

THENCE South 00°32'17" East, along said west right-of-way line, a distance of 57.47 feet to said north right-of-way line;

THENCE South 44°50'00" West, along said north right-of-way line, a distance of 35.17 feet to the POINT OF BEGINNING.

Said tract of land contains an area of 9,694 square feet or 0.2225 acres, more or less.

The bearing of North 00°28'26" West as shown on the east line of the Northeast Quarter (NE/4) of Section 5, Township 11 North, Range 5 West, I.M., as established using the Oklahoma State Plane Coordinate System North Zone NAD83 (NSRS 2011), was used as the basis of bearing for this survey.

Prepared by:

Justin Smith, PLS No. 1868

Smith Roberts Baldischwiler, LLC

100 N.E. 5th Street

Oklahoma City, OK 73104

(405) 840-7094

Date: September 3, 2024