

**THE CITY OF OKLAHOMA CITY
OFFICE OF
THE MUNICIPAL COUNSELOR**

Council Agenda
Item No. XI. V
5/20/2025

TO: Mayor and City Council

FROM: Kenneth Jordan, Municipal Counselor

1. Resolution authorizing and directing the Municipal Counselor to enter into an agreed settlement and journal entry of judgment in the Oklahoma County District Court Case styled: *The City of Oklahoma City v. Mayree V. Harris, et al.*, Oklahoma County District Court Case No. CV-2024-1197 (Consolidated to CV-2024-1195 with CV-2024-1196);

AND/OR

2. Enter into executive session on advice of the Municipal Counselor to receive confidential communications from its attorney concerning the above pending litigation, as authorized by 25 O.S. (2024 Supp.) §307(B)(4), because disclosure would seriously impair the ability of the public body to conduct the pending litigation in the public interest.

Background:

On May 1, 2024, the City filed the above-captioned condemnation case in the District Court of Oklahoma County against Defendants, Mayree V. Harris and Woodrow W. Harris, not individually but as Co-Trustees of the Mayree V. Harris Revocable Trust Dated December 12, 1986, to acquire a permanent easement for purposes of constructing and maintaining public street and utilities purposes and uses incidental thereto, for Oklahoma City Street Enhancement Improvements Project PC-0701, located at N. Classen Boulevard from Sheridan Avenue to NW 10th Street. The City is represented by Assistant Municipal Counselors, Steven A. Barker and Susan D. Randall. The Defendants are represented by W. Dan Nelson of the Nelson Law Office.

On March 31, 2025, the Court-appointed Commissioners filed their Report assessing damages for the taking of the permanent easement in the amount of \$18,000.

The parties have reached an agreed settlement of this case for a total sum of \$44,433.37 (an additional \$26,433.37 above the Commissioners' Award) for the value of the property taken, including costs, expenses and attorney fees.

If Council agrees to the settlement proposal, a resolution authorizing and directing the Municipal Counselor to enter into an agreed settlement and journal entry of judgment for a total amount of \$44,433.37 is submitted herewith for the Council's approval. The settlement and journal entry of judgment will reflect that \$18,000 of such settlement has been previously paid by the City by deposit of the Commissioners' Award, and that the additional amount of \$26,433.37 due on the settlement would be entered as a judgment against the City pursuant to 62 O.S. § 365.5.

If Council should desire more information as to the merits of this case, it is the recommendation of this office that Council retire into executive session.