

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OKLAHOMA CITY AUTHORIZING AND DIRECTING THE MUNICIPAL COUNSELOR TO ENTER INTO AN AGREED SETTLEMENT AND JOURNAL ENTRY OF JUDGMENT IN THE CLEVELAND COUNTY DISTRICT COURT CASE STYLED *THE CITY OF OKLAHOMA CITY V. JOHN A. PUGSLEY AND PAMELA J. PUGSLEY, AS HUSBAND AND WIFE*; CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2021-752.

WHEREAS, on August 19, 2021, the City commenced the above-captioned condemnation action in the District Court of Cleveland County to acquire a permanent easement for purposes of constructing and maintaining public street and utilities purposes and uses incidental thereto, for Oklahoma City Street Improvement Project TC-0520 located at SW 149th Street and South Pennsylvania Avenue; and

WHEREAS, the owners of the Subject Property and the Defendants/Condemnees in this case are John A. Pugsley and Pamela J. Pugsley, as husband and wife, by Joint Tenancy Quit Claim Deed filed in the Cleveland County Clerk's Office on October 25, 2013 in Book 5225, Page 1131, and are represented by David Box of the law firm Williams, Box, Forshee and Bullard, PC; and

WHEREAS, on March 8, 2022, the Report of Commissioners was filed in the case assessing damages to the Defendants/Condemnees in the amount of \$200,800 for the taking of the permanent easement; and

WHEREAS, the Defendants/Condemnees filed a Demand for Jury Trial contesting the amount of damages awarded by the Commissioners; and

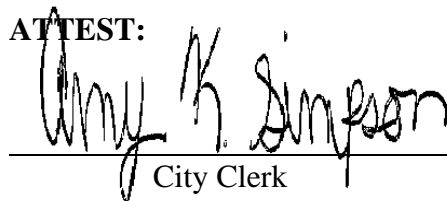
WHEREAS, the Parties have reached an agreed settlement of this case for a total sum of \$225,000 (an additional \$24,200 above the Commissioners' Award) for the value of the property taken, including costs, expenses and attorney fees; and

WHEREAS, the City Council deems the settlement proposal to be a reasonable one and therefore desires to accept the same.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Oklahoma City that the Municipal Counselor is hereby authorized and directed to enter into a Settlement Agreement and Journal Entry of Judgment in the Cleveland County District Court case styled *The City of Oklahoma City v. John A. Pugsley and Pamela J. Pugsley, as husband and wife*; Case No. CJ-2021-752 for the total amount of \$225,000 with the documents reflecting that \$200,800 of such settlement has been previously paid by the City by deposit of the Commissioners' Award, and the additional amount of \$24,200 to be entered as a judgment against the City pursuant to 62 O.S. § 365.5.

APPROVED by City Council and **SIGNED** by the Mayor of The City of Oklahoma City this 23RD day of MAY 2023.

ATTEST:



City Clerk



THE CITY OF OKLAHOMA CITY



VICE-MAYOR

REVIEWED for form and legality.



Assistant Municipal Counselor