

## RESOLUTION

**RESOLUTION DECLARING THE NECESSITY FOR ACQUIRING CERTAIN PERMANENT AND TEMPORARY EASEMENTS LOCATED IN SECTION 21 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 AND TEMPORARY EASEMENTS FOR STREET ENHANCEMENT IMPROVEMENTS AND USES INCIDENTAL THEREOF, FOR PROJECT TC-0523, INTERSECTION IMPROVEMENTS, NW 36TH STREET AND NORTH WALKER AVENUE TO NORTH MACARTHUR BOULEVARD, 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 FEBRUARY, 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 TC-0523, NW 36th Street and North Walker 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 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 FEBRUARY, 2024

ATTEST:

Amy K. Simpson  
City Clerk



David Holt  
Mayor

**Reviewed** for form and legality.

Patricia Mann  
Assistant Municipal Counselor

# **ATTACHMENT A**

**RIGHT-OF-WAY  
PROPOSED DESCRIPTION**

A tract of land lying in the Northeast Quarter (NE/4) of Section Twenty-One (21), Township Twelve (12) North, Range Three (3) West of the Indian Base and Meridian (I.B. & M.), City of Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

**COMMENCING** at the Northwest Corner of the Northeast Quarter (NE/4) of said Section Twenty-One (21); THENCE along the North line of said Northeast Quarter North 89 Degrees 31 Minutes 41 Seconds East, as Basis of Bearing for this Proposed Description, a distance of 29.83 feet; THENCE departing said North line South 00 Degrees 28 Minutes 19 Seconds East, a distance of 33.00 feet to a point of intersect on the South statutory right-of-way line of Northwest 36th Street and the East right-of-way line of North Walker Avenue, said point also being the northwest corner of a parcel of land recorded in Book 13673, Page 178, and the **POINT OF BEGINNING**; THENCE departing said East right-of-way line, continue along said South statutory right-of-way line and North line of said parcel of land North 89 Degrees 31 Minutes 41 Seconds East, a distance of 38.00 feet; THENCE departing said South statutory right-of-way line and said North line South 00 Degrees 10 Minutes 34 Seconds East, a distance of 8.50 feet; THENCE continue on a line being 8.50 feet south of and parallel to said South statutory right-of-way line South 89 Degrees 31 Minutes 41 Seconds West, a distance of 21.50 feet; THENCE South 44 Degrees 40 Minutes 33 Seconds West, a distance of 19.14 feet; THENCE continue on a line being 3.00 feet east of and parallel to said East right-of-way line of North Walker Avenue South 00 Degrees 10 Minutes 34 Seconds East, a distance of 118.00 feet to a point on on the South line of said parcel of land; THENCE continue along said South line South 89 Degrees 25 Minutes 56 Seconds West, a distance of 3.00 feet to a point on said East right-of-way line, said point also being the West line of said parcel of land; THENCE continue along the West line of said parcel of land and said East right-of-way line, North 00 Degrees 10 Minutes 34 Seconds West, a distance of 140.00 feet to the **POINT OF BEGINNING**.

Said tract contains 809 sq. ft. or 0.019 acres, more or less.

Basis of Bearings: N89-31-41E along North line said NE/4. 21-T12N-R3W  
Grid North based on NAD 83 Oklahoma  
State Plane Coordinate System North Zone

I, Darrel Ray Mason, a Licensed Professional Land Surveyor in the State of Oklahoma, certify that the attached description is a true representation of the property described and meets the minimum technical standards for land surveying of the State of Oklahoma.

 11/07/2023  
\_\_\_\_\_  
Darrel Ray Mason Date



OK PLS NO. 1690 - Expires August 31, 2024  
OK CA NO. 2483 - Expires June 30, 2025

PROJECT NO: 023-00210	ATTACHMENT "A" PROJECT NO. TC-0523 PARCEL #1.0		11600 Broadway Extension Suite 300 Oklahoma City, OK 73114 TEL 405.242.6600	PAGE
DRAWN BY: WML			1 OF 2	
DATE: 11/6/2023				

**RIGHT-OF-WAY  
PROPOSED DESCRIPTION**

A tract of land lying in the Northeast Quarter (NE/4) of Section Twenty-One (21), Township Twelve (12) North, Range Three (3) West of the Indian Base and Meridian (I.B. & M.), City of Oklahoma City, Oklahoma County, Oklahoma, being more particularly described by Darrel Ray Mason OKLS1690 on January 11, 2024 as follows:

**COMMENCING** at the Northwest Corner of the Northeast Quarter (NE/4) of said Section Twenty-One (21); THENCE along the North line of said Northeast Quarter N89°31'41"E, as Basis of Bearing for this Proposed Description, a distance of 30.00 feet; THENCE departing said North line of said section S00°10'34"E, a distance of 173.00 feet to the **POINT OF BEGINNING**; THENCE departing said East right-of-way line, continue North line of parcel N89°25'56"E, a distance of 3.00 feet; THENCE departing the North line of said parcel S00°10'34"E, a distance of 50.00 feet; THENCE S89°25'56"W, a distance of 3.00 feet; THENCE N00°10'34"W a distance of 50.00 feet back to the **POINT OF BEGINNING**.

Said tract contains 150 sq. ft. or 0.003 acres, more or less.

Basis of Bearings: N89°31'41"E along North line said NE/4. 21-T12N-R3W  
Grid North based on NAD 83 Oklahoma  
State Plane Coordinate System North Zone

I, Darrel Ray Mason, a Licensed Professional Land Surveyor in the State of Oklahoma, certify that the attached description is a true representation of the property described and meets the minimum technical standards for land surveying of the State of Oklahoma.



1-16-2024

Darrel Ray Mason

Date



OK PLS NO. 1690 - Expires August 31, 2024

OK CA NO. 2483 - Expires June 30, 2025

PROJECT NO: 023-00210
DRAWN BY: TLM
DATE: 01/11/2024

ATTACHMENT "A"  
PROJECT NO. TC-0523  
PARCEL #2.0



11600 Broadway Extension  
Suite 300  
Oklahoma City, OK 73114  
TEL 405.242.6600

PAGE
1 OF 2

**RIGHT-OF-WAY  
PROPOSED DESCRIPTION**

A tract of land lying in the Northeast Quarter (NE/4) of Section Twenty-One (21), Township Twelve (12) North, Range Three (3) West of the Indian Base and Meridian (I.B. & M.), City of Oklahoma City, Oklahoma County, Oklahoma, being more particularly described by Darrel Ray Mason OKLS 1690 on January 11, 2024 as follows:

**COMMENCING** at the Northwest Corner of the Northeast Quarter (NE/4) of said Section Twenty-One (21); THENCE along the North line of said Northeast Quarter N89°31'41"E, as Basis of Bearing for this Proposed Description, a distance of 30.00 feet; THENCE departing said North line of said section S00°10'34"E, a distance of 223.00 feet to the **POINT OF BEGINNING**; THENCE departing said East right-of-way line, continue North line of parcel N89°25'56"E, a distance of 3.00 feet; THENCE departing the North line of said parcel S00°10'34"E, a distance of 50.00 feet; THENCE S89°25'56"W, a distance of 3.00 feet; THENCE N00°10'34"W a distance of 50.00 feet back to the **POINT OF BEGINNING**.

Said tract contains 150 sq. ft. or 0.003 acres, more or less.

Basis of Bearings: N89°31'41"E along North line said NE/4. 21-T12N-R3W  
Grid North based on NAD 83 Oklahoma  
State Plane Coordinate System North Zone

I, Darrel Ray Mason, a Licensed Professional Land Surveyor in the State of Oklahoma, certify that the attached description is a true representation of the property described and meets the minimum technical standards for land surveying of the State of Oklahoma.

 1-16-2024

\_\_\_\_\_  
Darrel Ray Mason Date



OK PLS NO. 1690 - Expires August 31, 2024  
OK CA NO. 2483 - Expires June 30, 2025

PROJECT NO: 023-00210	ATTACHMENT "A" PROJECT NO. TC-0523 PARCEL #3.0		11600 Broadway Extension Suite 300 Oklahoma City, OK 73114 TEL 405.242.6600	PAGE
DRAWN BY: TLM			1 OF 2	
DATE: 01/11/2024				

**RIGHT-OF-WAY  
PROPOSED DESCRIPTION**

A tract of land lying in the Northeast Quarter (NE/4) of Section Twenty-One (21), Township Twelve (12) North, Range Three (3) West of the Indian Base and Meridian (I.B. & M.), City of Oklahoma City, Oklahoma County, Oklahoma, being more particularly described by Darrel Ray Mason OKLS1690 on January 11, 2024 as follows:

**COMMENCING** at the Northwest Corner of the Northeast Quarter (NE/4) of said Section Twenty-One (21); THENCE along the North line of said Northeast Quarter N89°31'41"E, as Basis of Bearing for this Proposed Description, a distance of 30.00 feet; THENCE departing said North line of said section S00°10'34"E, a distance of 273.01 feet to the **POINT OF BEGINNING**; THENCE departing said East right-of-way line, continue North line of parcel N89°25'56"E, a distance of 3.00 feet; THENCE departing the North line of said parcel S00°10'34"E, a distance of 50.00 feet; THENCE S89°25'56"W, a distance of 3.00 feet; THENCE N00°10'34"W a distance of 50.00 feet back to the **POINT OF BEGINNING**.

Said tract contains 150 sq. ft. or 0.003 acres, more or less.

Basis of Bearings: N89°31'41"E along North line said NE/4. 21-T12N-R3W  
Grid North based on NAD 83 Oklahoma  
State Plane Coordinate System North Zone

I, Darrel Ray Mason, a Licensed Professional Land Surveyor in the State of Oklahoma, certify that the attached description is a true representation of the property described and meets the minimum technical standards for land surveying of the State of Oklahoma.

 1-16-2024

Darrel Ray Mason Date



OK PLS NO. 1690 - Expires August 31, 2024  
OK CA NO. 2483 - Expires June 30, 2025

PROJECT NO: 023-00210	ATTACHMENT "A" PROJECT NO. TC-0523 PARCEL #4.0		11600 Broadway Extension Suite 300 Oklahoma City, OK 73114 TEL 405.242.6600	PAGE
DRAWN BY: TLM			1 OF 2	
DATE: 01/12/2024				

**RIGHT-OF-WAY  
PROPOSED DESCRIPTION**

A tract of land lying in the Southeast Quarter (SE/4) of Section Sixteen (16), Township Twelve (12) North, Range Three (3) West of the Indian Base and Meridian (I.B. & M.), City of Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

**COMMENCING** at the Southwest Corner of the Southeast Quarter (SE/4) of said Section Sixteen (16); THENCE along the South line of said Southeast Quarter North 89 Degrees 31 Minutes 41 Seconds East, as Basis of Bearing for this Proposed Description, a distance of 30.12 feet; THENCE departing said South line North 00 Degrees 28 Minutes 19 Seconds West, a distance of 33.00 feet to a point of intersect on the North statutory right-of-way line of Northwest 36th Street and the East right-of-way line of North Walker Avenue, said point also being the southwest corner of a parcel of land recorded in Book 886, Page 317, and the **POINT OF BEGINNING**; THENCE departing said South line continue along said East right-of-way line and West line of said parcel of land North 00 Degrees 15 Minutes 40 Seconds West, a distance of 25.00 feet; THENCE departing said East right-of-way line and West line of said parcel of land, South 69 Degrees 53 Minutes 24 Seconds East, a distance of 42.67 feet to a point 10.00 feet north of said South parcel line; THENCE continue on a line being 10.00 feet north of and parallel to said North statutory right-of-way line North 89 Degrees 31 Minutes 41 Seconds East, a distance of 445.00 feet; THENCE South 00 Degrees 15 Minutes 40 Seconds East, a distance of 10.00 feet to a point on said North statutory right-of-way line, said point also being the South line of said parcel of land; THENCE continue along the South line of said parcel of land and said statutory right-of-way line, South 89 Degrees 31 Minutes 41 Seconds West, a distance of 485.00 feet to the **POINT OF BEGINNING**.

Said tract contains 5,150 sq. ft. or 0.118 acres, more or less.

Basis of Bearings: N89-31-41E along South line said SE/4. 16-T12N-R3W  
Grid North based on NAD 83 Oklahoma  
State Plane Coordinate System North Zone

I, Darrel Ray Mason, a Licensed Professional Land Surveyor in the State of Oklahoma, certify that the attached description is a true representation of the property described and meets the minimum technical standards for land surveying of the State of Oklahoma.



07/14/2023

Darrel Ray Mason

Date



OK PLS NO. 1690 - Expires August 31, 2024  
OK CA NO. 2483 - Expires June 30, 2025

PROJECT NO: 023-00210	ATTACHMENT "A" PROJECT NO. TC-0523 PARCEL #5.0		11600 Broadway Extension Suite 300 Oklahoma City, OK 73114 TEL 405.242.6600	PAGE
DRAWN BY: WML			1 OF 2	
DATE: 7/10/2023				

**RIGHT-OF-WAY  
PROPOSED DESCRIPTION**

A tract of land lying in the Northeast Quarter (NE/4) of Section Twenty-One (21), Township Twelve (12) North, Range Three (3) West of the Indian Base and Meridian (I.B. & M.), City of Oklahoma City, Oklahoma County, Oklahoma, being more particularly described by Darrel Ray Mason OKLS1690 on January 11, 2024 as follows:

**COMMENCING** at the Northwest Corner of the Northeast Quarter (NE/4) of said Section Twenty-One (21); THENCE along the North line of said Northeast Quarter N89°31'41"E, as Basis of Bearing for this Proposed Description, a distance of 30.00 feet; THENCE departing said North line of said section S00°10'34"E, a distance of 323.01 feet to the **POINT OF BEGINNING**; THENCE departing said East right-of-way line, continue North line of parcel N89°25'56"E, a distance of 3.00 feet; THENCE departing the North line of said parcel S00°10'34"E, a distance of 50.00 feet; THENCE S89°25'56"W, a distance of 3.00 feet; THENCE N00°10'34"W a distance of 50.00 feet back to the **POINT OF BEGINNING**.

Said tract contains 150 sq. ft. or 0.003 acres, more or less.

Basis of Bearings: N89°31'41"E along North line said NE/4. 21-T12N-R3W  
Grid North based on NAD 83 Oklahoma  
State Plane Coordinate System North Zone

I, Darrel Ray Mason, a Licensed Professional Land Surveyor in the State of Oklahoma, certify that the attached description is a true representation of the property described and meets the minimum technical standards for land surveying of the State of Oklahoma.

 1-16-2024

Darrel Ray Mason Date



OK PLS NO. 1690 - Expires August 31, 2024  
OK CA NO. 2483 - Expires June 30, 2025

PROJECT NO: 023-00210	ATTACHMENT "A" PROJECT NO. TC-0523 PARCEL #6.0		11600 Broadway Extension Suite 300 Oklahoma City, OK 73114 TEL 405.242.6600	PAGE
DRAWN BY: TLM			1 OF 2	
DATE: 01/12/2024				