

## RESOLUTION

**RESOLUTION DECLARING THE NECESSITY FOR ACQUIRING CERTAIN PERMANENT EASEMENTS LOCATED IN SECTIONS 13 AND 24 OF TOWNSHIP 11 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA; AUTHORIZING, INSTRUCTING, AND DIRECTING THE CITY MANAGER TO ACQUIRE SAID PERMANENT EASEMENTS FOR STREET WIDENING INCLUDING WATERLINE RELOCATION AND USES INCIDENTAL THEREOF, FOR PROJECTS , WIDENING OF SOUTH POST ROAD FROM SE 44TH STREET TO SE 74TH STREET, AND 60-INCH WATER TRANSMISSION MAIN REPLACEMENT ALONG SE 74TH STREET FROM SOUTH DOUGLAS BOULEVARD TO SOUTH POST ROAD; SOUTH POST ROAD FROM SE 74TH STREET TO SE 44TH STREET; AND SE 44 TH STREET FROM SOUTH POST ROAD TO SOUTH DOUGLAS 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 EASMENTS CANNOT BE PURCHASED AND THE DAMAGES SETTLED BY AGREEMENT WITH THE LAND OWNERS.**

**WHEREAS**, on this 5TH day of NOVEMBER, 2024, it is deemed necessary and advisable by the City of Oklahoma City to acquire certain permanent easements located in Oklahoma County, Oklahoma, for Project PC-0926, Widening of South Post Road from SE 44th Street to SE 74th Street, Project WC-1023, 60-inch Water Transmission Main Replacement along SE 74th Street from South Douglas Boulevard to South Post Road; South Post Road from SE 74th Street to SE 44th Street; and SE 44th Street from South Post Road to South Douglas Boulevard., 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 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 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 and temporary 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  
5TH day of NOVEMBER, 2024.

**ATTEST:**

Amy K. Simpson  
City Clerk



[Signature]  
Vice Mayor

**Reviewed** for form and legality.

Chris Hall  
Assistant Municipal Counselor

CONCURRED by the Trustees and signed by the Chairman of the Oklahoma City Water Utilities Trust this 5TH day of NOVEMBER, 2024.

ATTEST:

OKLAHOMA CITY WATER UTILITIES TRUST

*Amy K. Simpson*  
SECRETARY



*John D. Couch*  
CHAIRMAN

# **ATTACHMENT A**

**PC-0926**  
Parcel No. 36

**Permanent Water Line Easement**

A Permanent Water Line Easement located in the Southwest 1/4 of Section 13, Township 11 North, Range 2 West, I.M., Oklahoma County, Oklahoma. Said Easement being more particularly described as follows:

Commencing at the Southwest corner of said Southwest 1/4 of Section 13;  
Thence S 89°56'04" E on the South line of said Southwest 1/4 a distance of 60.00 feet;  
Thence N 00°11'30" W a distance of 50.00 feet to a point on the corner of the existing Right of Way of SE 44th Street and S Douglas Boulevard, said point also being the Point of Beginning;  
Thence N 00°11'30" W on the existing Eastern Right of Way line of S Douglas Boulevard a distance of 52.45 feet;  
Thence S 44°56'55" E a distance of 74.19 feet to a point on the existing Northern Right of Way line of SE 44th Street;  
Thence N 89°56'04" W on the existing Northern Right of Way line of SE 44th Street a distance of 52.24 feet to the Point of Beginning

Containing 0.03 Acres (1369.89 Sq.Ft.), more or less.

**Basis of Bearing:**

Grid North as established by Oklahoma State Plane System, NAD 83 (2011), North zone

**This Description was prepared by:**

Darren M. Smith, PLS #1552  
CEC Corporation, CA #32  
05-06-2024

 <b>CEC</b> 4555 W. MEMORIAL ROAD OKLAHOMA CITY, OK 73142 (405) 753.4200 CA #32 EXP. 06-30-24	DATE: 05/06/2024
	CEC PROJECT #: 220930.1
	Post Road Easements
	PARCEL 36
<b>PERMANENT WATER LINE EASEMENT ATTACHMENT "A"</b> PROJECT NO. <u>PC-0926</u>	

# ATTACHMENT "A"

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PARCEL NO. 37  
PROJECT NO. PC-0926

**PC-0926**  
Parcel No. 37

## Permanent Water Line Easement

A Permanent Water Line Easement located in the Northeast 1/4 of Section 24, Township 11 North, Range 2 West, I.M., Oklahoma County, Oklahoma. Said Easement being more particularly described as follows:

Commencing at the Northeast corner of said Northeast 1/4 of Section 24;  
Thence S 89°55'59" W on the North line of said Northeast 1/4 a distance of 88.59 feet;  
Thence S 00°04'01" E a distance of 33.00 feet to a point intersecting the South Existing Right of Way line of Southeast 44th Street and the West new Present Right of Way line of South Post Road, said point also being the Point of Beginning of the Easement;  
Thence S 45°20'50" E on the said new Present Right of Way line of South Post Road a distance of 5.30 feet to a point on the West line of an OG&E Easement described in Book 10650 Page 185 filed for record at the Oklahoma County Clerks office;  
Thence S 00°20'50" E on the West line of said OG&E Easement a distance of 179.27 feet;  
Thence N 89°55'59" E on the South line of said OG&E Easement a distance of 52.00 feet to the Southeast corner of said OG&E Easement and the West existing Right of Way line of South Post Road;  
Thence S 00°20'50" E on said West existing Right of Way line of South Post Road a distance of 139.96 feet;  
Thence N 44°07'58" W a distance of 379.88 feet to the Southeast corner of a Southwestern Bell Equipment Station Easement described in Book 5332 Page 1598 filed for record at the Oklahoma County Clerks office;  
Thence N 00°22'16" W on the East line of and extending beyond said Southwestern Bell Equipment Station Easement a distance of 50.00 feet to a point on the South existing Right of Way line of Southeast 44th Street;  
Thence N 89°55'59" E on said South existing Right of Way line of Southeast 44th Street a distance of 207.14 feet to the Point of Beginning.

Containing 0.91 Acres (39,496.42 Sq.Ft.), more or less.

### Basis of Bearing:

Grid North as established by Oklahoma State Plane System,  
NAD 83 (2011), North zone

### This Description was prepared by:

Darren M. Smith, PLS #1552  
CEC Corporation, CA #32  
08-06-2024

 <b>CEC</b> 4555 W. MEMORIAL ROAD OKLAHOMA CITY, OK 73142 (405) 753.4200 CA #32 EXP. 06-30-26	DATE: 08/06/2024
	CEC PROJECT #: 220930.1
	Post Road Easements
	PARCEL 37
<b>PERMANENT WATER LINE EASEMENT ATTACHMENT "A"</b>	
PROJECT NO. PC-0926	

**ATTACHMENT "A"**

**PC-0926**  
Parcel No. 38

**Permanent Right of Way Easement**

A Permanent Right of Way Easement located in the Northeast 1/4 of Section 24, Township 11 North, Range 2 West, I.M., Oklahoma County, Oklahoma. Said Easement being more particularly described as follows:

Commencing at the Northeast corner of said Northeast 1/4 of Section 24;  
Thence S 89°55'59" W on the North line of said Northeast 1/4 a distance of 88.59 feet;  
Thence S 00°04'01" E a distance of 33.00 feet to a point on the South existing Right of Way line of SE 44th Street, said point also being the Point of Beginning of the Easement;  
Thence N 89°55'59" E on the existing South Right of Way line of SE 44th Street a distance of 55.75 feet to a point on the existing West Right of Way line of S Post Road;  
Thence S 00°20'50" E on said existing West Right of Way line a distance of 183.00 feet;  
Thence S 89°55'59" W a distance of 5.00 feet;  
Thence N 00°20'50" W a distance of 132.50 feet;  
Thence N 45°20'50" W a distance of 71.77 feet to a point on the existing South Right of Way line of SE 44th Street and the Point of Beginning;

Containing 0.05 Acres (2196.40 Sq.Ft.), more or less.

Basis of Bearing:

Grid North as established by Oklahoma State Plane System, NAD 83 (2011), North zone

This Description was prepared by:

Darren M. Smith, PLS #1552  
CEC Corporation, CA #32  
05-06-2024

 <b>CEC</b> 4555 W. MEMORIAL ROAD OKLAHOMA CITY, OK 73142 (405) 753.4200 CA #32 EXP. 06-30-24	DATE: 05/06/2024
	CEC PROJECT #: 220930.1
	Post Road Easements
	PARCEL 38
<b>PERMANENT RIGHT OF WAY          EASEMENT          ATTACHMENT "A"</b>	
PROJECT NO. PC-0926	

**ATTACHMENT "A"**

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PARCEL NO. 39  
PROJECT NO. PC-0926

PC-0926  
Parcel No. 39

**Permanent Right of Way Easement**

A Permanent Right of Way Easement located in the Southwest 1/4 of Section 18, Township 11 North, Range 1 West, I.M., Oklahoma County, Oklahoma. Said Easement being more particularly described as follows:

Commencing at the Southwest corner of the Southwest 1/4 of Section 18;  
Thence N 88°51'36" E on the South line of said Southwest 1/4 a distance of 33.00 feet;  
Thence N 00°25'42" W a distance of 33.00 feet to a point on the corner of the existing Right of Way of S Post Road and SE 44th Street, said point also being the Point of Beginning;  
Thence N 00°25'42" W on the existing East Right of Way line of S Post Road a distance of 53.66 feet;  
Thence S 45°25'42" E a distance of 74.95 feet to a point on the North Existing Right of Way line of SE 44th Street;  
Thence S 88°51'36" W on the said North Right of Way line a distance of 53.00 feet to the Point of Beginning.

Containing 0.03 Acres (1421.94 Sq.Ft.), more or less.

Basis of Bearing:

Grid North as established by Oklahoma State Plane System, NAD 83 (2011), North zone

This Description was prepared by:

Darren M. Smith, PLS #1552  
CEC Corporation, CA #32  
05-06-2024

 <b>CEC</b> 4555 W. MEMORIAL ROAD OKLAHOMA CITY, OK 73142 (405) 753.4200 CA #32 EXP. 06-30-24	DATE: 05/06/2024
	CEC PROJECT #: 220930.1
	Post Road Easements
	PARCEL 39
<b>PERMANENT RIGHT OF WAY          EASEMENT          ATTACHMENT "A"</b> PROJECT NO. PC-0926	

**ATTACHMENT "A"**

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PARCEL NO. 40  
PROJECT NO. PC-0926

**PC-0926**  
Parcel No. 40

**Permanent Right of Way Easement**

A Permanent Right of Way Easement located in the Northwest 1/4 of Section 19, Township 11 North, Range 1 West, I.M., Oklahoma County, Oklahoma. Said Easement being more particularly described as follows:

Commencing at the Northwest corner of the Northwest 1/4 of Section 19;  
Thence N 88°51'36" E on the North line of said Northwest 1/4 a distance of 50.00 feet;  
Thence S 00°20'50" E a distance of 50.00 feet to a point on the corner of the existing Right of Way of S Post Road and SE 44th Street, said point also being the Point of Beginning;  
Thence N 88°51'36" E on the South existing Right of Way line of SE 44th Street a distance of 21.21 feet;  
Thence S 43°51'36" W a distance of 30.42 feet to a point on the East existing Right of Way line of S Post Road;  
Thence N 00°20'50" W on said East Right of Way line a distance of 21.51 feet to the Point of Beginning.

Containing 0.01 Acres (228.16 Sq.Ft.), more or less.

Basis of Bearing:

Grid North as established by Oklahoma State Plane System, NAD 83 (2011), North zone

This Description was prepared by:

Darren M. Smith, PLS #1552  
CEC Corporation, CA #32  
05-06-2024

 <b>CEC</b> 4555 W. MEMORIAL ROAD OKLAHOMA CITY, OK 73142 (405) 753.4200 CA #32 EXP. 06-30-24	DATE: 05/06/2024
	CEC PROJECT #: 220930.1
	Post Road Easements
	PARCEL 40
<b>PERMANENT RIGHT OF WAY EASEMENT ATTACHMENT "A"</b> PROJECT NO. <u>PC-0926</u>	

**ATTACHMENT "A"**

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PARCEL NO. 41  
PROJECT NO. PC-0926

PC-0926  
Parcel No. 41

**Permanent Right of Way Easement**

A Permanent Right of Way Easement located in the Northeast 1/4 of Section 24, Township 11 North, Range 2 West, I.M., Oklahoma County, Oklahoma. Said Easement being more particularly described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of Section 24;  
Thence S 00°20'50" E on the East line of said Northeast 1/4 a distance of 815.63 feet;  
Thence S 89°39'10" W a distance of 33.00 feet to a point on the West existing Right of Way line of S Post Road, said point also being the Point of Beginning;  
Thence S 00°20'50" E on said West existing Right of Way line a distance of 120.00 feet;  
Thence N 45°20'50" W a distance of 70.71 feet;  
Thence N 00°20'50" W a distance of 20.00 feet;  
Thence N 44°39'10" E a distance of 70.71 feet to the Point of Beginning.

Containing 0.08 Acres (3500.00 Sq.Ft.), more or less.

**Basis of Bearing:**

Grid North as established by Oklahoma State Plane System, NAD 83 (2011), North zone

**This Description was prepared by:**

Darren M. Smith, PLS #1552  
CEC Corporation, CA #32  
05-06-2024

 <b>CEC</b> 4555 W. MEMORIAL ROAD OKLAHOMA CITY, OK 73142 (405) 753.4200 CA #32 EXP. 06-30-24	DATE: 05/06/2024
	CEC PROJECT #: 220930.1
	Post Road Easements
	PARCEL 41
<b>PERMANENT RIGHT OF WAY          EASEMENT          ATTACHMENT "A"</b> PROJECT NO. <u>PC-0926</u>	

**PC-0926**  
Parcel No. 42

**Permanent Right of Way Easement**

A Permanent Right of Way Easement located in the Southeast 1/4 of Section 24, Township 11 North, Range 2 West, I.M., Oklahoma County, Oklahoma. Said Easement being more particularly described as follows:

Commencing at the Southeast corner of the Southeast 1/4 of Section 24;  
Thence N 00°20'42" W on the East line of said Southeast 1/4 a distance of 1416.26 feet to the Southeast corner of a property described in Book 14290, Page 35 filed for record with the Oklahoma County Clerk's office;  
Thence S 89°46'12" W on the South line of said property a distance of 50.00 feet to a point on the West existing Right of Way line of S Post Road, said point also being the Point of Beginning;  
Thence continuing S 89°46'12" W on the South line of said property a distance of 17.61 feet;  
Thence N 45°20'42" W a distance of 31.66 feet;  
Thence N 00°20'42" W a distance of 20.00 feet;  
Thence N 44°39'18" E a distance of 56.57 feet to a point on the West existing Right of Way line of S Post Road;  
Thence S 00°20'42" E on said West Right of Way line a distance of 82.42 feet to the Point of Beginning.

Containing 0.05 Acres (2245.25 Sq.Ft.), more or less.

Basis of Bearing:

Grid North as established by Oklahoma State Plane System, NAD 83 (2011), North zone

This Description was prepared by:

Darren M. Smith, PLS #1552  
CEC Corporation, CA #32  
05-06-2024

 <b>CEC</b> 4555 W. MEMORIAL ROAD OKLAHOMA CITY, OK 73142 (405) 753.4200 CA #32 EXP. 06-30-24	DATE: 05/06/2024
	CEC PROJECT #: 220930.1
	Post Road Easements
	PARCEL 42
<b>PERMANENT RIGHT OF WAY          EASEMENT          ATTACHMENT "A"</b>	
PROJECT NO. <u>PC-0926</u>	