

RESOLUTION NO. CC-2017-18

“A RESOLUTION DECLARING THE PUBLIC NECESSITY FOR ACQUIRING OWNERSHIP TO REAL PROPERTY AND PERMANENT AND TEMPORARY EASEMENTS ON A CERTAIN TRACT OF LAND HEREINAFTER DESCRIBED LOCATED IN SECTION 27, TOWNSHIP 19 NORTH, RANGE 2 EAST OF THE INDIAN MERIDIAN, PAYNE COUNTY, STATE OF OKLAHOMA FOR THE PURPOSE OF CONSTRUCTING A WATER TRANSMISSION LINE IN THE SOUTHWEST AREA OF STILLWATER FOR THE 56TH AVENUE WATER TOWER DISTRIBUTION ZONE”

WHEREAS, the City of Stillwater has found it necessary to acquire ownership to real property and permanent and temporary easements on the hereinafter described tracts of land for the purpose of constructing a water transmission line in the southwest area of Stillwater for the 56th Avenue water tower distribution zone; and

WHEREAS, there is now on hand unexpended and unencumbered funds available, sufficient for the said purpose and amounts sufficient to pay for the said real property and permanent and temporary easements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STILLWATER, OKLAHOMA:

SECTION 1: That the acquisition and appropriation of permanent and temporary easements on the tract of land described as follows:

Parcel # E 067
Assessor ID: 600000029
Owner: Cynthia Dobbs and Destry Dobbs

Property Legal Description:

A TRACT OF LAND IN THE SW/4 NW/4 OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 2 EAST OF THE INDIAN MERIDIAN, PAYNE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF WESTERN HEIGHTS ADDITION TO THE CITY OF STILLWATER; THENCE EAST ALONG THE NORTH LINE OF SAID SW/4 NW/4 A DISTANCE OF 320.85 FEET; THENCE SOUTH ALONG THE EAST LINE OF SAID SW/4 NW/4 A DISTANCE OF 165.00 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF SAID SW/4 NW/4 A DISTANCE OF 321.05 FEET; THENCE NORTH ALONG THE EAST BOUNDARY OF SAID WESTERN HEIGHTS ADDITION A DISTANCE OF 165.00 FEET TO THE POINT OF BEGINNING

Proposed Waterline Easement:

The West 30.00 feet of the East 40.00 feet of the above described property.

Said Proposed Total easement containing 0.1136 acres, which is overlapping an existing Dedication Deed for Public Highway to Payne County containing 0.0871 acres of existing usable easement, leaving 0.0265 NET acres of Proposed Easement.

Proposed Temporary Construction Easement:

The East 10.00 feet AND the West 20.00 feet of the East 60.00 feet of the above described property.

Said Proposed Total easement containing 0.1136 acres, which is overlapping an existing Dedication Deed for Public Highway to Payne County containing 0.0379 acres, of existing usable easement, leaving 0.0757 NET acres of Proposed Easement.

is necessary for the purpose of constructing a water transmission line in the southwest area of Stillwater for the 56th Avenue water tower distribution zone, and said purpose requires the acquisition of easements on the tract described above, situated in Payne County, State of Oklahoma.

SECTION 2: The City Manager or designee, shall, and is hereby instructed, authorized and directed to immediately negotiate with the owner of the above-described parcel and to offer the owner of said property(s) a fair, just and reasonable price for the for the conveyance and grant of fee simple title and for the conveyance of permanent and temporary easements as necessary and any damages sustained by the owner as a result thereof.

SECTION 3: The City Attorney is hereby authorized and directed to institute proceedings of condemnation on the above-described tracts of land should the property owner fail to negotiate or accept a reasonable offer from the City Manager or designee for the purposes as heretofore stated, and to take such further legal steps or proceeding as may, in his judgment, appear appropriate to secure the grant of fee simple title and permanent and temporary easements herein and the immediate possession thereof.

PASSED AND APPROVED THIS ____ DAY OF OCTOBER, 2017.

GINA J. NOBLE, MAYOR

(SEAL)
ATTEST:

ELIZABETH CHRZ, CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS ____ DAY OF OCTOBER,
2017.

JOHN E. DORMAN, CITY ATTORNEY