

RESOLUTION NO. CC-2021-5

“A RESOLUTION DECLARING THE PUBLIC NECESSITY FOR ACQUIRING OWNERSHIP TO REAL PROPERTY, PERMANENT RIGHT OF WAY AND/OR PERMANENT AND TEMPORARY EASEMENTS ON CERTAIN TRACT(S) OF LAND HEREINAFTER DESCRIBED FOR THE PURPOSE OF REPLACING THE THIRD AVENUE BRIDGE OVER EAST BOOMER CREEK IN THE CITY OF STILLWATER”

WHEREAS, the City of Stillwater has found it necessary to acquire ownership to real property, permanent right of way and/or permanent and temporary easements on the hereinafter described tract(s) of land for the purpose of replacing the Third Avenue bridge over East Boomer Creek, Project Number 19TR04-101; 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, permanent right of way and/or permanent and temporary easements.

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

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

Parcel #1.0
217 South Park Street
Assessor ID: 600017678
Owner: Robert Ford Bradley

Property Legal Description:

A tract of land being a part of Lot Four (4), Block Four (4), PARK ADDITION, a subdivision of the City of Stillwater, Payne County, State of Oklahoma, according to the recorded plat thereof

Parcel 1.0
Permanent Right of Way:

A tract of land being a part of Lot Four (4), Block Four (4), PARK ADDITION, a subdivision of the City of Stillwater, Payne County, State of Oklahoma, according to the recorded plat thereof, being more particularly described as follows:
Beginning at the Southwest corner of said Lot 4; thence North 78°47'37" East, for a distance of 60.99 feet to a point on the East line of said Lot 4; thence South 00°49'07" East and along said East line, for a distance of 11.82 feet to the Southeast corner of said Lot 4; thence South 89°58'05" West and along the South line of said Lot 4, for a distance of 60.00 feet to the Point of Beginning.

Said tract containing 354.62 square feet same being 0.01 acres, more or less

is necessary for the purpose of replacing the Third Avenue bridge over East Boomer Creek, Project Number 19TR04-101, and said purpose requires the acquisition of permanent right of way and/or permanent and temporary easements on the tract described above, situated in Payne County, State of Oklahoma.

SECTION 2: That the acquisition and appropriation of permanent right of way and/or permanent and temporary easements on the tract of land described as follows:

Parcel #2.0
217 South Park Street
Assessor ID: 600017678
Owner: Robert Ford Bradley

Property Legal Description:

A tract of land being a part of Lot Three (3), Block Four (4), PARK ADDITION, a subdivision of the City of Stillwater, Payne County, State of Oklahoma, according to the recorded plat thereof

Parcel 2.0

Permanent Right of Way:

A tract of land being a part of Lot Three (3), Block Four (4), PARK ADDITION, a subdivision of the City of Stillwater, Payne County, State of Oklahoma, according to the recorded plat thereof, being more particularly described as follows:
Beginning at the Southwest corner of said Lot 3; thence North 00°49'07" West, and along the West line of said Lot 4, for a distance of 11.82 feet; thence North 84°18'30" East, for a distance of 60.21 feet to a point of the East line of said Lot 3; thence South 00°49'07" East and along said East line, for a distance of 17.76 feet to the Southeast corner of said Lot 3; thence South 89°58'05" West and along the South line of said Lot 3, for a distance of 60.00 feet to the Point of Beginning.

Said tract containing 887.38 square feet same being 0.02 acres, more or less

SECTION 3: The City Manager or designee, shall, and is hereby instructed, authorized and directed to immediately negotiate with the owner of the above-described parcel(s) 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/or for the conveyance of permanent right of way and/or permanent and temporary easements as necessary and any damages sustained by the owner as a result thereof.

SECTION 4: The City Attorney is hereby authorized and directed to institute proceedings of condemnation on the above-described tract(s) 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, permanent right of way and/or permanent and temporary easements herein and the immediate possession thereof.

PASSED AND APPROVED THIS ____ DAY OF FEBRUARY, 2021.

CITY OF STILLWATER, OKLAHOMA
A Municipal Corporation

WILLIAM H. JOYCE, MAYOR

(SEAL)
ATTEST:

TERESA KADAVY, CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS ____ DAY OF FEBRUARY, 2021.

JOHN E. DORMAN, CITY ATTORNEY