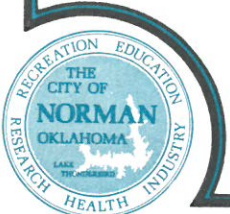


A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING THE NECESSITY FOR ACQUIRING CERTAIN REAL PROPERTY, MORE PARTICULARLY HEREINAFTER DESCRIBED, ALL WITHIN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, FOR THE PURPOSE OF THE 12TH AVENUE S.E. WIDENING PROJECT IN THE CITY OF NORMAN; AND DECLARING THE NECESSITY FOR ACQUIRING SAID PROPERTY FOR ROADWAY PURPOSES; AND DECLARING AN EMERGENCY.

- § 1. WHEREAS, the City of Norman has located and proposed construction of a new four-lane roadway located in the area of 12th Avenue S.E.; and
- § 2. WHEREAS, the project was approved by the City Council of the City of Norman by Resolution R-1112-61 adopted November 22, 2011; and
- § 3. WHEREAS, on August 28, 2012, the City of Norman voters approved a \$42.5 million bond project that included eight major transportation/storm water projects including the 12th Avenue S.E. Widening Project; and
- § 4. WHEREAS, in order to timely utilize Federal FY17 funds, the property must be acquired to move the project forward; and
- § 5. WHEREAS, in order to meet the Federal funds timeline, the property must be acquired by June 23, 2017; and
- § 6. WHEREAS, the City of Norman has found it necessary to appropriate the hereinafter tract of land for the above-designate public purpose; and
- § 7. WHEREAS, the City of Norman made a diligent effort, in good faith, to acquire by purchase from the owners thereof, the tract of land hereinafter described and the said owners have refused, and still refuse, to grant and convey to the City of Norman the land necessary for the purpose as aforesaid.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA;

- § 8. That the acquisition and appropriation of the hereinafter described real estate is necessary for the 12th Avenue S.E. Widening Project. The easement to be acquired is more particularly described in the attached Exhibit "A"; and




- § 9. That the City of Norman has heretofore offered to the owners of said property a fair, just and reasonable price for the purchase of said land and even though said offers have been rejected, all negotiations and efforts to purchase the said real property will continue through the condemnation process as it is necessary to acquire the property as soon as possible to access Federal funding for the project; and
- § 10. That the City Attorney is hereby authorized and directed to institute eminent domain proceedings for condemnation of the hereinabove described real property for the public purposes as heretofore stated; and

PASSED AND ADOPTED this 14th day of March, 2017.



Mayor

ATTEST:



City Clerk



EXHIBIT A

A strip, piece or parcel of land lying in part of the SW $\frac{1}{4}$ of Section 9, T8N, R2W in Cleveland County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at a point on the East present right-of-way line of 12th Avenue SE a distance of 527.35 feet S 00°13'03" W of and 33.00 feet S 89°46'57" E of the NW corner of said SW $\frac{1}{4}$, thence S 06°51'02" E a distance of 57.45 feet, thence S 06°39'12" E a distance of 83.01 feet, thence S 89°21'13" W a distance of 17.00 feet to a point said East present right-of-way line, thence N 00°13'03" E along said East present right-of-way line a distance of 139.68 feet to point of beginning.

Containing 0.03 acres or 1,196.98 square feet, more or less, of new right-of-way.