

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY, MORE PARTICULARLY HEREINAFTER DESCRIBED, ALL WITHIN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, FOR THE PURPOSE OF THE 24TH AVENUE EAST ROADWAY IMPROVEMENT PROJECT IN THE CITY OF NORMAN; AND DECLARING THE NECESSITY FOR ACQUIRING SAID PROPERTY FOR ROADWAY, UTILITY AND DRAINAGE PURPOSES, AND AUTHORIZING INITIATION OF EMINENT DOMAIN PROCEEDINGS FOR THAT PURPOSE.

- § 1. WHEREAS, City of Norman voters approved general obligation bonds for eight roadway improvement projects, including the widening of 24th Avenue NE, on August 28, 2012; and
- § 2. WHEREAS, a recoupment project was declared by Council for the City of Norman for this roadway improvement project on April 10, 2018 by Resolution No. R-1718-102; and
- § 3. WHEREAS, the City of Norman has found it necessary to appropriate the hereinafter tracts of land for the above-designated public purpose; and
- § 4. WHEREAS, the City of Norman made a diligent effort, in good faith, to acquire, by purchase, from the owners thereof, the tracts of land hereinafter described and the said owners have refused, and still refuse, to grant and convey to the City of Norman the lands necessary for purpose as aforesaid; and
- § 5. WHEREAS, although negotiations as to value of the parcel(s) to be taken continue, it is necessary to acquire said parcel(s) to construct the public roadway project stated;

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

- § 6. That the acquisition and appropriation of the hereinafter described real estate is hereby declared necessary for the 24th Avenue NE Roadway Improvement Project. The easements to be acquired are more particularly described in the attached Exhibits "A," "B," and "C"; and
- § 7. That the City of Norman has heretofore offered to the owners of said properties a fair, just and reasonable price for the purchase of said lands and that the said



offers have been rejected and all negotiations and efforts to date to purchase the said real properties, by agreement, have failed; and

§ 8. That the City Attorney is hereby authorized and directed to institute eminent domain proceedings for condemnation of the hereinabove described real properties for the public purposes as heretofore stated; and

PASSED AND ADOPTED this 23rd day of October, 2018.

Mayor

ATTEST:

City Clerk

**Exhibit A
Parcel 8**

GRANT OF EASEMENT

A strip, piece or parcel of land lying in part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 9 North, Range 2 West, I.M., Cleveland County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Commencing at the Northwest corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence N 89°59'36" E along the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 33.00 feet to a point on the present East right-of-way line of 24th Avenue SE, said point being the point of beginning, thence continuing N 89°59'36" E along said North line a distance of 17.00 feet, thence S 00°25'19" E a distance of 544.72 feet, thence S 89°34'40" W a distance of 17.00 feet, thence N 00°25'19" W a distance of 544.84 feet to the point of beginning.

Containing 9,261 square feet or 0.21 acres, more or less.

All bearings contained in this description are based on the Oklahoma State Plane Coordinate System and are not astronomical bearings.

With the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public roadway, drainage structure or utility.

**Exhibit B
Parcel 8.1**

UTILITY EASEMENT

A strip, piece or parcel of land lying in part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 9 North, Range 2 West, I.M., Cleveland County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Commencing at the Northwest corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence N 89°59'36" E along the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 50.00 feet to a point on the permanent East right-of-way line of 24th Avenue SE, said point being the point of beginning, thence continuing N 89°59'36" E along said North line a distance of 11.0 feet, thence S 00°25'19" E a distance of 534.57 feet, thence S 22°55'11" E a distance of 33.97 feet, thence S 00°25'19" E a distance of 2.86 feet to a point on the present East right-of-way line of 24th Avenue SE, thence N 45°12'27" W, transitioning to the permanent East right-of-way line of 24th Avenue SE a distance of 34.07 feet, thence N 00°25'19" W a distance of 544.72 feet to the point of beginning.

Containing 6,209 square feet or 0.14 acres, more or less.

All bearings contained in this description are based on the Oklahoma State Plane Coordinate System and are not astronomical bearings.

With the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a utility.

Exhibit C
Parcel 8.2

TEMPORARY CONSTRUCTION EASEMENT

A strip, piece or parcel of land lying in part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 9 North, Range 2 West, I.M., Cleveland County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Commencing at the Northwest corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence N 89°59'36" E along the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 61.00 feet to the point of beginning, thence continuing N 89°59'36" E along said North line a distance of 6.00 feet, thence S 00°25'19" E a distance of 534.53 feet, thence S 22°55'11" E a distance of 33.97 feet, thence S 00°23'41" E a distance of 8.90 feet to a point on the present East right-of-way line of 24th Avenue SE, thence N 45°12'27" W along said present East right-of-way line of 24th Avenue SE a distance of 8.51 feet, thence N 00°25'19" W a distance of 2.86 feet, thence N 22°55'11" W a distance of 33.97 feet, thence N 00°25'19" W a distance of 534.57 feet to the point of beginning.

Containing 3,431 square feet or 0.08 acres, more or less.

All bearings contained in this description are based on the Oklahoma State Plane Coordinate System and are not astronomical bearings.

With the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public roadway, drainage structure or utility.