

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 FRANKLIN ROAD BRIDGE REPLACEMENT PROJECT IN THE CITY OF NORMAN; DECLARING THE NECESSITY FOR ACQUIRING SAID PROPERTY FOR ROADWAY AND DRAINAGE PURPOSES; AND DECLARING AN EMERGENCY.

- § 1. WHEREAS, the City of Norman has located and proposed a bridge replacement project located in the area of Franklin Road west of 12th Avenue NW; and
- § 2. WHEREAS, this project was approved by Council for the City of Norman by Resolution No. R-0809-99; 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.

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

- § 5. That the acquisition and appropriation of the hereinafter described real estate is necessary for the Franklin Road Bridge replacement project. The easements to be acquired are more particularly described in the attached Exhibits "A," "B," and "C"; and
- § 6. 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 purchase the said real properties, by agreement, have failed; and
- § 7. 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

- § 8. That an emergency exists for the preservation of public peace, health, safety and welfare, by reason whereof this Resolution shall take effect immediately from and after its adoption and approval.

PASSED AND ADOPTED this 28th day of May, 2013.

Mayor

ATTEST:

City Clerk

Exhibit A
Parcel 2

A portion of the Northeast Quarter (NE ¼) of Section 12, Township 9 North, Range 3 West of the Indian Base and Meridian, Cleveland County, Oklahoma described as follows:

Beginning at the NW corner of said NE ¼ of said Section 12, thence S 00°12'37" E on the west line of said NE ¼ a distance of 50.00 feet, thence S 79°42'03" E a distance of 289.13 feet to a point opposite and 100.00 feet southerly of Survey Centerline Station 39+25.00, thence S 89°39'34" E a distance of 675.00 feet to a point opposite and 100.00 feet southerly of Survey Centerline Station 46+00.00, thence N 83°58'08" E a distance of 603.73 feet to a point on the existing statutory right of way line of Franklin Road which is opposite and 33.00 feet southerly of Survey Centerline Station 52+00; thence N 00°20'26" E a distance of 33.00 feet to the north line of said Section 12; thence along the north line of said Section 12 N 89°39'34" W a distance of 1560.25 feet to the Point of Beginning.

EXCEPTING THEREFROM that portion lying within the existing statutory right of way of Franklin Road.

Contains 1.77 acres, or 77,287 square feet, more or less.

Exhibit B
Parcel 2.1

A portion of the Northeast Quarter (NE $\frac{1}{4}$) of Section 12, Township 9 North, Range 3 West of the Indian Base and Meridian, Cleveland County, Oklahoma as described as follows:

Commencing at the NW corner of said NE $\frac{1}{4}$ of said Section 12, thence S $00^{\circ}12'37''$ E on the west line of said NE $\frac{1}{4}$ a distance of 50.00 feet, thence S $79^{\circ}42'03''$ E a distance of 289.013 feet to a point opposite and 100.00 feet southerly of Survey Centerline Station 39+25.00, thence S $89^{\circ}39'34''$ E a distance of 330.70 feet to a point opposite and 100.00 feet southerly of Survey Centerline Station 42+55.70, said point being the Point of Beginning of the herein described tract, thence S $08^{\circ}39'34''$ E a distance of 381.10 feet to a point opposite and 476.40 feet southerly of Survey Centerline Station 43+15.32, thence S $73^{\circ}01'45''$ W a distance of 105.26 feet to a point opposite and 507.72 feet southerly of Survey Centerline Station 42+14.832, thence S $16^{\circ}58'15''$ E a distance of 15.00 feet to a point opposite and 522.04 feet southerly of Survey Centerline Station 42+19.29, thence N $73^{\circ}01'45''$ E a distance of 103.07 feet to a point opposite and 491.38 feet southerly of Survey Centerline Station 43+17.69, thence N $81^{\circ}29'38''$ E a distance of 116.30 feet to a point opposite and 473.49 feet southerly of Survey Centerline Station 44+32.61, thence N $09^{\circ}19'44''$ W a distance of 378.87 feet to a point opposite and 100.00 feet southerly of Survey Centerline Station 43+68.97, thence N $89^{\circ}39'34''$ W parallel with the south line of said Section 12 a distance of 113.27 feet to the Point of Beginning.

Contains 1.05 acres, or 45,757 square feet, more or less.

Exhibit C
Parcel 2.2

A portion of the Northeast Quarter (NE ¼) of Section 12, Township 9 North, Range 3 West of the Indian Base and Meridian, Cleveland County, Oklahoma described as follows:

Commencing at the NW corner of said NE ¼ of said Section 12, thence S 00°12'37" E on the west line of said NE ¼ a distance of 50.00 feet, thence S 79°42'03" E a distance of 289.13 feet to a point opposite and 100.00 feet southerly of Survey Centerline Station 39+25.00, thence S 89°39'34" E a distance of 443.97 feet to a point opposite and 100.00 feet southerly of Survey Centerline Station 43+68.97, said point being the Point of Beginning of the herein described tract, thence S 09°19'44" E a distance of 378.87 feet to a point opposite and 473.49 feet southerly of Survey Centerline Station 44+32.61, thence S 81°29'38" W a distance of 116.30 feet to a point opposite and 491.38 feet southerly of Survey Centerline Station 43+17.69, thence S 08°39'34" E a distance of 67.85 feet to a point opposite and 558.39 feet southerly of Survey Centerline Station 43+28.31, thence N 81°29'38" E a distance of 180.13 feet to a point opposite and 530.69 feet southerly of Survey Centerline Station 45+06.29, thence N 09°19'44" W a distance of 436.89 feet to a point opposite and 100 feet southerly of Survey Centerline Station 44+32.91, thence N 89°39'34" W parallel with the south line of said Section 12 a distance of 63.94 feet to the Point of Beginning.

Contains 0.82 acres, or 35,766 square feet, more or less.