

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE ACQUISITION CERTAIN REAL PROPERTY, MORE PARTICULARLY HEREINAFTER DESCRIBED, ALL WITHIN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, FOR THE PURPOSE OF THE CRESTON WAY AND SCHULZE DRIVE STORMWATER PROJECT IN THE CITY OF NORMAN; AND DECLARING THE NECESSITY FOR ACQUIRING SAID PROPERTY FOR DRAINAGE PURPOSES, AND AUTHORIZING INITIATION OF EMINENT DOMAIN PROCEEDINGS FOR THAT PURPOSE.

- § 1. WHEREAS, City Council has approved budgets in previous fiscal years funding several stormwater projects, one of which is located between Creston Way and Schulze Drive; and
- § 2. WHEREAS, this project is located in the Bishop Creek watershed, and currently consists of a series of open flumes and stormwater pipes that are overburdened with drainage from adjacent residential and institutional uses, requiring installation of an underground pipeline system more capable of accommodating runoff; 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 owner thereof, the tracts of land hereinafter described and the said owner has refused, and still refuses, 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 stormwater 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 Creston Way and Schulze Drive Stormwater Project. The easements to be acquired are more particularly described in the attached Exhibit "A"; and
- § 7. That the City of Norman has heretofore offered to the owner of said property a fair, just and reasonable price for the purchase of said property and related damages and that the said offers have been rejected and all negotiations and/or 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 10<sup>th</sup> day of March, 2020.

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Mayor

ATTEST:

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City Clerk

**Exhibit A**  
**Parcel R0034335**

**PERMANENT DRAINAGE EASEMENT**

Said strip, piece, or parcel of land being described as follows to-wit:

**Beginning** at the Northeast Corner of Lot Six (6), Block Four (4), Hanley Addition, an Addition to the City of Norman, Section Thirty-Two (32), Township Nine (9) North, Range Two (2) West of the Indian Base & Meridian, Cleveland County, State of Oklahoma; Thence S 00°46'30" E along the east line of Lot 6 for a distance of 140.00 feet to the southeast corner of said Lot 6; Thence S 89°25'31" W along the south line of Lot 6 for a distance of 7.50 feet; Thence N 00°46'30" W for a distance of 140.00 feet to the north line of Lot 6; Thence N 89°25'31" E along said north line for a distance of 7.50 feet to the **Point of Beginning**.

Said strip, piece, or parcel of land contains 0.0241 acres, more or less.

**Exhibit B**  
**Parcel R0034335**

**TEMPORARY CONSTRUCTION EASEMENT**

Said strip, piece, or parcel of land being described as follows to-wit:

Commencing at the Northeast Corner of Lot Six (6), Block Four (4), Hanley Addition, an Addition to the City of Norman, Section Thirty-Two (32), Township Nine (9) North, Range Two (2) West of the Indian Base & Meridian, Cleveland County, State of Oklahoma, Thence S 89°25'31" W for a distance of 7.50 feet to the **Point of Beginning**; Thence S 00°46'30" E for a distance of 140.00 feet; Thence S 89°25'31" W for a distance of 10.00 feet; Thence N 00°46'30" W for a distance of 70.00 feet; Thence N 89°25'31" E for a distance of 7.60 feet; Thence N 00°46'30" W for a distance of 60.00; Thence S 89°25'31" W for a distance of 7.60 feet; Thence N 00°46'30" W for a distance of 10.00 feet; Thence N 89°25'31" E for a distance of 10.00 feet to the **Point of Beginning**.

Said strip, piece, or parcel of land contains 0.0217 acres, more or less.