

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 ROCK CREEK ROAD 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, on November 22, 2011, the Norman City Council approved Resolution No. R-1112-59, Programming Federal Surface Transportation Program Urbanized Area (STP-UZA) funds for the widening and reconstruction of Rock Creek Road from Grandview Avenue to 36<sup>th</sup> Avenue NW; and
- § 2. WHEREAS, a recoupmnt project was declared by Council for the City of Norman for this roadway improvement project on September 11, 2018 by Resolution No. R-1718-115; 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 Rock Creek Road Improvment 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/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 December, 2019.

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Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**Exhibit A**  
**Parcel 3.0**

**PERMANENT EASEMENT**

A parcel of land located in the Northwest Quarter (NW/4) of Section Twenty-Two (22), Township Nine North (T-9-N), Range Three West (R-3-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma, and being more particularly described as follows:

Commencing at the Northeast corner of said NW/4; Thence South  $89^{\circ}37'31''$  West along the North Line of said NW/4 a distance of 25.14 feet; Thence South  $00^{\circ}22'29''$  East a distance of 33.00 feet to a point on the existing statutory right-of-way line, and the Point of Beginning; Thence South  $00^{\circ}07'43''$  East along the existing West right-of-way line of Grandview Avenue a distance of 71.67 feet; Thence North  $38^{\circ}00'51''$  West a distance of 90.51 feet to a point on the existing statutory right-of-way line; Thence North  $89^{\circ}37'31''$  East along said right-of-way line a distance of 55.58 feet to the Point of Beginning.

Said parcel contains 1991.89 square feet, or 0.05 acres, more or less.

**Exhibit B**  
**Parcel 3.1**

**TEMPORARY CONSTRUCTION EASEMENT**

A parcel of land located in the Northwest Quarter (NW/4) of Section Twenty-Two (22), Township Nine North (T-9-N), Range Three West (R-3-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma, and being more particularly described as follows:

Commencing at the Northeast corner of said NW/4; Thence South 89°37'31" West along the North line of said NW/4 a distance of 80.72 feet; Thence South 00°22'29" East a distance of 33.00 feet to a point on the existing statutory right-of-way line, and the Point of Beginning; Thence South 38°00'51" East a distance of 90.51 feet to a point on the existing West right- of-way line of Grandview Avenue; Thence South 00°07'43" East along the said right-of-way line a distance of 24.43 feet; Thence North 38°00'51" West a distance of 121.36 feet to a point on the existing statutory right-of-way line; Thence North 89°37'31" East along said right-of-way line a distance of 18.94 feet to the Point of Beginning.

Said parcel contains 1589.02 square feet, or 0.04 acres, more or less.

**Exhibit C**  
**Parcel 3.2**

**TEMPORARY DRIVEWAY EASEMENT**

A parcel of land located in the Northwest Quarter (NW/4) of Section Twenty-Two (22), Township Nine North (T-9-N), Range Three West (R-3-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma, and being more particularly described as follows:

Commencing at the Northeast corner of said NW/4;  
Thence South  $89^{\circ}37'31''$  West along the North line of said NW/4 a distance of 25.14 feet;  
Thence South  $00^{\circ}22'29''$  East a distance of 33.00 feet to a point on the existing statutory right-of way line;  
Thence South  $00^{\circ}07'43''$  East along the existing West right-of-way line of Grandview Avenue a distance of 76.75 feet to the Point of Beginning;  
Thence continuing South  $00^{\circ}07'43''$  East a distance of 40.00 feet;  
Thence South  $89^{\circ}52'17''$  West a distance of 23.00 feet;  
Thence North  $00^{\circ}07'43''$  West a distance of 40.00 feet;  
Thence North  $89^{\circ}52'17''$  East a distance of 23.00 feet to the Point of Beginning.

Said parcel contains 920.00 square feet, or 0.02 acres, more or less.