

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 JENKINS AVE 2019 BOND 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-2021-46, requesting federal funds for the widening and reconstruction of Jenkins Avenue from Imhoff to Lindsay; and
- § 2. WHEREAS, a declaration of a recoupment project is being considered by Council for the City of Norman for this roadway improvement project on this same day, June 13, 2023, by Resolution No. R-2223-143; 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 Jenkins Ave 2019 Bond Project. The easements to be acquired are more particularly described in the attached Exhibits “A” through “F”; 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, to date, to result in an acquisition; and

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

PASSED AND ADOPTED this 13th day of June, 2023.

Mayor

ATTEST:

City Clerk

Exhibit A
Parcel 11.0, 11.1

PERMANENT RIGHT-OF-WAY EASEMENT

A right-of-way easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;

Thence N 00°11'20" W along the West line of said NW/4 a distance of 162.95 feet;

Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line, the South property line and the Point of Beginning;

Thence N 00°11'20" W a distance of 117.00 feet to a point on the North property line;

Thence N 89°46'54" E along the said property line a distance of 7.00 feet;

Thence S 00°11'20" E a distance of 117.00 feet to a point on the South property line;

Thence S 89°46'54" W along the said property line a distance of 7.00 feet to the Point of Beginning;

Said Tract contains 589.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

PERMANENT UTILITY EASEMENT

A utility easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;

Thence N 00°11'20" W along the West line of said NW/4 a distance of 162.95 feet;

Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line;

Thence N 89°46'54" E a distance of 7.00 feet to a point on the South property line;

Thence N 00°11'20" W a distance of 57.00 feet to the Point of Beginning;

Thence N 00°11'20" W a distance of 3.00 feet;

Thence N 89°46'54" E a distance of 3.00 feet;

Thence S 00°11'20" E a distance of 3.00 feet;

Thence S 89°46'54" W a distance of 3.00 feet to the Point of Beginning;

Said Tract contains 9.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

TEMPORARY CONSTRUCTION EASEMENT

A temporary construction easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;

Thence N 00°11'20" W along the West line of said NW/4 a distance of 162.95 feet;

Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line;

Thence N 89°46'54" E a distance of 7.00 feet to a point on the South property line;

Thence N 00°11'20" W a distance of 32.00 feet to the Point of Beginning;

Thence N 00°11'20" W a distance of 52.00 feet;

Thence N 89°46'54" E a distance of 8.00 feet;

Thence S 00°11'20" E a distance of 52.00 feet;

Thence S 89°46'54" W a distance of 8.00 feet to the Point of Beginning;

Said Tract contains 416.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

TEMPORARY DRIVEWAY EASEMENT

A temporary driveway easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;

Thence N 00°11'20" W along the West line of said NW/4 a distance of 279.95 feet;

Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line;

Thence N 89°46'54" E a distance of 7.00 feet to a point on the North property line and the Point of Beginning

Thence N 89°46'54" E along said property line a distance of 6.00 feet;
Thence S 00°11'20" E a distance of 10.00 feet;
Thence N 89°46'54" E a distance of 17.00 feet;
Thence S 00°11'20" E a distance of 23.00 feet;
Thence S 89°46'54" W a distance of 23.00 feet;
Thence N 00°11'20" W a distance of 33.00 feet to a point on the North property line and
the Point of Beginning;

Said Tract contains 589.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W,
I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing
easements/rights-of-way and property lines (as shown on sketch), so as not to create any
encroachments.

**Exhibit B
Parcel 14.0**

PERMANENT RIGHT-OF-WAY EASEMENT

A right-of-way easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;

Thence N 00°11'20" W along the West line of said NW/4 a distance of 507.73 feet;

Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line, the South property line and the Point of Beginning;

Thence N 00°11'20" W along the said right-of-way line a distance of 20.00 feet;

Thence N 89°46'54" E a distance of 7.00 feet;

Thence S 00°11'20" E a distance of 20.00 feet to a point on the South property line;

Thence S 89°46'54" W along the said property line a distance of 7.00 feet to the Point of Beginning;

Said Tract contains 140.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

PERMANENT UTILITY EASEMENT

A utility easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;

Thence N 00°11'20" W along the West line of said NW/4 a distance of 601.23 feet;

Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Thence N 00°11'20" W along said right-of-way line a distance of 3.00 feet;

Thence N 89°46'54" E a distance of 3.00 feet;

Thence S 00°11'20" E a distance of 3.00 feet;

Thence S 89°46'54" W a distance of 3.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Said Tract contains 9.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

TEMPORARY CONSTRUCTION EASEMENT

A temporary construction easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;

Thence N 00°11'20" W along the West line of said NW/4 a distance of 562.73 feet;

Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Thence N 00°11'20" W along the said right-of-way line a distance of 50.00 feet;

Thence N 89°46'54" E a distance of 24.00 feet;

Thence S 00°11'20" E a distance of 50.00 feet;

Thence S 89°46'54" W a distance of 24.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Said Tract contains 1200.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

TEMPORARY DRIVEWAY EASEMENT

A temporary driveway easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;

Thence N 00°11'20" W along the West line of said NW/4 a distance of 527.73 feet;

Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Thence N 00°11'20" W along the said right-of-way line a distance of 35.00 feet;

Thence N 89°46'54" E a distance of 24.00 feet;

Thence S 00°11'20" E a distance of 35.00 feet;
Thence S 89°46'54" W a distance of 11.00 feet;
Thence S 00°11'20" E a distance of 20.00 feet to a point on the South property line;
Thence S 89°46'54" W along the said property line a distance of 6.00 feet;
Thence N 00°11'20" W a distance of 20.00 feet;
Thence S 89°46'54" W a distance of 7.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Said Tract contains 960.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

TEMPORARY DRIVEWAY EASEMENT

A temporary driveway easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;
Thence N 00°11'20" W along the West line of said NW/4 a distance of 612.73 feet;
Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line and the Point of Beginning;
Thence N 00°11'20" W along the said right-of-way line a distance of 50.00 feet;
Thence N 89°46'54" E a distance of 24.00 feet;
Thence S 00°11'20" E a distance of 50.00 feet;
Thence S 89°46'54" W a distance of 24.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Said Tract contains 1200.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

**Exhibit C
Parcel 15.0**

TEMPORARY CONSTRUCTION EASEMENT

A temporary construction easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;

Thence N 00°11'20" W along the West line of said NW/4 a distance of 662.73 feet;

Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line, the South property line and the Point of Beginning;

Thence N 00°11'20" W along the said right-of-way line a distance of 18.00 feet;

Thence N 89°46'54" E a distance of 13.00 feet;

Thence S 00°11'20" E a distance of 18.00 feet to a point on the South property line;

Thence S 89°46'54" W along the said property line a distance of 13.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Said Tract contains 234.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

TEMPORARY DRIVEWAY EASEMENT

A temporary driveway easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;

Thence N 00°11'20" W along the West line of said NW/4 a distance of 680.73 feet;

Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Thence N 00°11'20" W along the said right-of-way line a distance of 32.00 feet to a point on the North property line;

Thence N 89°46'54" E along the said property line a distance of 25.00 feet;

Thence S 00°11'20" E a distance of 32.00 feet;

Thence S 89°46'54" W a distance of 25.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Said Tract contains 800.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

**Exhibit D
Parcel 16.0**

PERMANENT UTILITY EASEMENT

A utility easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:
Commencing at the Southwest corner of said NW/4;
Thence N 00°11'20" W along the West line of said NW/4 a distance of 716.73 feet;
Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line and the Point of Beginning;
Thence N 00°11'20" W along the said right-of-way line a distance of 3.00 feet;
Thence N 89°46'54" E a distance of 3.00 feet;
Thence S 00°11'20" E a distance of 3.00 feet;
Thence S 89°46'54" W a distance of 3.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Said Tract contains 9.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

TEMPORARY CONSTRUCTION EASEMENT

A temporary construction easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;
Thence N 00°11'20" W along the West line of said NW/4 a distance of 712.73 feet;
Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line, the South property line and the Point of Beginning;
Thence N 00°11'20" W along the said right-of-way line a distance of 32.00 feet;
Thence N 89°46'54" E a distance of 13.00 feet;
Thence S 00°11'20" E a distance of 32.00 feet to a point on the South property line;
Thence S 89°46'54" W along the said property line a distance of 13.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Said Tract contains 416.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

TEMPORARY DRIVEWAY EASEMENT

A temporary driveway easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;

Thence N 00°11'20" W along the West line of said NW/4 a distance of 744.73 feet;

Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Thence N 00°11'20" W along the said right-of-way line a distance of 18.00 feet to a point on the North property line;

Thence N 89°46'54" E along the said property line a distance of 13.00 feet;

Thence S 00°11'20" E a distance of 18.00 feet;

Thence S 89°46'54" W a distance of 13.00 feet to the Point of Beginning;

Said Tract contains 234.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

Exhibit E
Parcel 17.0

PERMANENT UTILITY EASEMENT

A utility easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:
Commencing at the Southwest corner of said NW/4;
Thence N 00°11'20" W along the West line of said NW/4 a distance of 779.23 feet;
Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line and the Point of Beginning;
Thence N 00°11'20" W along the said right-of-way line a distance of 3.00 feet;
Thence N 89°46'54" E a distance of 3.00 feet;
Thence S 00°11'20" E a distance of 3.00 feet to a point on the statutory right-of-way line;
Thence S 89°46'54" W along the said right-of-way line a distance of 3.00 feet to the Point of Beginning;

Said Tract contains 9.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

TEMPORARY CONSTRUCTION EASEMENT

A temporary construction easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:
Commencing at the Southwest corner of said NW/4;
Thence N 00°11'20" W along the West line of said NW/4 a distance of 782.73 feet;
Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line and the Point of Beginning;
Thence N 00°11'20" W along the said right-of-way line a distance of 30.00 feet to a point on the North property line;
Thence N 89°46'54" E along the said property line a distance of 13.00 feet;
Thence S 00°11'20" E a distance of 30.00 feet;
Thence S 89°46'54" W a distance of 13.00 feet to a point on the statutory right-of-way line and the Point of Beginning;

Said Tract contains 390.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.

TEMPORARY DRIVEWAY EASEMENT

A temporary driveway easement, located in the Northwest Quarter (NW/4) of Section Five (5), Township Eight North (T-8-N), Range Two West (R-2-W) of the Indian Meridian (I.M.), Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southwest corner of said NW/4;

Thence N 00°11'20" W along the West line of said NW/4 a distance of 762.73 feet;

Thence N 89°48'40" E a distance of 33.00 feet to a point on the statutory right-of-way line, the South property line and the Point of Beginning;

Thence N 00°11'20" W along the said right-of-way line a distance of 20.00 feet;

Thence N 89°46'54" E a distance of 13.00 feet;

Thence S 00°11'20" E a distance of 18.00 feet to a point on the South property line;

Thence S 89°46'54" W along the said property line a distance of 13.00 feet to the Point of Beginning;

Said Tract contains 260.00 Sq. Ft. more or less.

Note: Basis of Bearing = N 00°11'20" W = West line NW/4 Section 5, T-8-N, R-2-W, I.M. (State Plane – GPS observation).

Note: It is intended for the edges of easements to terminate at buildings, existing easements/rights-of-way and property lines (as shown on sketch), so as not to create any encroachments.