



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 9/12/2023

REQUESTER: Elisabeth Muckala, Asst. City Attorney

PRESENTER: Elisabeth Muckala, Asst. City Attorney

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT OF CITY OF NORMAN V. SUSANNE S. CORR, TRUSTEE OF THE SUSANNE S. CORR REVOCABLE TRUST DATED APRIL 14, 1998, ET AL., IN THE DISTRICT COURT OF CLEVELAND COUNTY, OKLAHOMA, CASE CJ-2023-706, IN THE AMOUNT OF \$15,000.

BACKGROUND:

This case was brought by the City of Norman on June 14, 2023 to acquire property needed for the Jenkins Avenue Bond Project by means of eminent domain. On August 2, 2023, three disinterested commissioners were appointed to determine just compensation for the needed property. On August 28, 2023, the commissioners returned a report valuing just compensation for the needed property at \$13,000 including all damages.

DISCUSSION:

The property owner has stated their willingness to settle the case for an agreed just compensation of \$15,000, which settlement will fully and finally conclude the litigation, with the owner waiving all rights to jury trial or appeal on the matter of the acquisition or agreed just compensation. This matter, and previous negotiation efforts, were previously discussed at executive session held on June 13, 2023. The settlement offer is within the range of values generally discussed during that executive session.

Funds are available to pay this amount in Jenkins Avenue Widening Bond Project, Land (Account Org. 50594019, Object 46001; Project BP0417).

RECOMMENDATION:

It is believed that the proposed settlement is fair, reasonable and in the best interests of the City. It is recommended the settlement of this matter be approved by City Council. Once approved, the parties will jointly present an Agreed Journal Entry of Judgment to the Court, the agreed just compensation will be deposited with the Court for disbursement to the property owner, and the final judgment will be filed in County records to allow the City to proceed with the Jenkins Avenue Bond Project.
