

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 PORTER STREETScape 2019 BOND PROJECT IN THE CITY OF NORMAN; AND DECLARING THE NECESSITY FOR ACQUIRING SAID PROPERTY FOR ROADWAY IMPROVEMENTS INCLUDING SIDEWALK, UTILITY AND DRAINAGE PURPOSES, AND AUTHORIZING INITIATION OF EMINENT DOMAIN PROCEEDINGS FOR THAT PURPOSE.

- § 1. WHEREAS, on September 8, 2020, the Norman City Council approved Resolution R-2021-48, Programming Federal Surface Transportation Block Grant Program Urbanized Area (STPBG-UZA) funds for roadway improvements along Porter Avenue between Robinson Street and Alameda Street in Norman; and
- § 2. WHEREAS, the City of Norman has found it necessary to appropriate the hereinafter tracts of land for the above-designated public purpose; and
- § 3. 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
- § 4. WHEREAS, although negotiations as to value of the parcel(s) to be taken may continue upon mutual election, it is necessary to initiate eminent domain proceedings in order 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;

- § 5. That the acquisition and appropriation of the hereinafter described real estate is hereby declared necessary for the Porter Avenue Streetscape 2019 Bond Project. The easements to be acquired are more particularly described in the attached Exhibits "A" through "J"; 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/or efforts to date to purchase the said real properties, by agreement, have failed, to date, to result in an acquisition; and

§ 7. 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 8th day of March, 2022.

Mayor

ATTEST:

City Clerk

Exhibit A – PARCEL 1

1.0 – Permanent Easement

A tract of land lying in the Southwest Quarter of Section Twenty-Nine, Township Nine North, Range Two West of the Indian Meridian (SW/4, S29, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A permanent sidewalk easement that runs parallel to the existing public Right of Way on the east side of Porter Avenue. The POB is the northwest corner of LOT 32, BLOCK 28, Norman, Original Township. From the POB, the easement extends:

S 27°37'46.46" E for a distance of 20.43-ft, thence,
N 89°57'17.72" E for a distance of 19.14-ft, thence,
N 64°38'11.66" W for a distance of 8.86-ft, thence,
N 27°13'27.27" W for a distance of 22.21-ft, thence,
S 62°22'13.54" W for a distance of 11.79-ft to the Point of Beginning (POB).

Said tract containing 286.04 square feet or 0.007 acres, more or less.

1.1 – Temporary Construction Easement

A tract of land lying in the Southwest Quarter of Section Twenty-Nine, Township Nine North, Range Two West of the Indian Meridian (SW/4, S29, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A temporary driveway easement that runs parallel to the existing public Right of Way on the east side of Porter Avenue. The Point of Commencement (POC) is the northwest corner of LOT 32, BLOCK 28, Norman, Original Township. From the POC, travel northeast on a bearing of N62°22'13.54"E for a distance of 11.79' to the Point of Beginning (POB). From the POB, the easement extends:

S 27°13'27.27" E for a distance of 22.21-ft, thence,
S 64°38'11.66" E for a distance of 8.86-ft, thence,
N 89°42'00.07" E for a distance of 12.24-ft, thence,
N 27°37'46.46" W for a distance of 34.91-ft, thence,
S 62°22'13.54" W for a distance 16.05-ft to the Point of Beginning (POB).

Said tract containing 484.52 square feet or 0.011 acres, more or less.

Exhibit B – PARCEL 3

3.0 – Permanent Easement

A tract of land lying in the Southwest Quarter of Section Twenty-Nine, Township Nine North, Range Two West of the Indian Meridian (SW/4, S29, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A permanent sidewalk easement that runs parallel to the existing public Right of Way on the east side of Porter Avenue. The Point of Beginning (POB) is the northwest corner of LOT 32, BLOCK 29, Norman Original Township, and then extends:

S 27°37'46.46" E for a distance of 140.00-ft, thence,
N 62°22'13.54" E for a distance of 2.80-ft, thence,
N 27°37'46.46" W for a distance of 140.00-ft, thence,
S 62°22'13.54" W for a distance of 2.80-ft to the Point of Beginning (POB).

Said tract containing 391.64 square feet or 0.009 acres, more or less.

3.1 – Temporary Construction Easement

A tract of land lying in the Southwest Quarter of Section Twenty-Nine, Township Nine North, Range Two West of the Indian Meridian (SW/4, S29, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A temporary construction easement that runs parallel to the existing public Right of Way on the east side of Porter Avenue. The Point of Commencement (POC) is the northwest corner of LOT 32, BLOCK 29, Norman Original Township. From the POC, travel northeast on a bearing of N62°22'13.54" E for a distance of 2.80-ft to the Point of Beginning (POB). From the Point of Beginning (POB), The easement extends:

S 27°37'46.46" E for a distance of 60.58-ft, thence,
N 62°22'13.54" E for a distance of 14.92-ft, thence,
N 27°21'36.42" W for a distance of 60.58-ft, thence,
S 62°22'13.54" W for a distance of 15.21-ft to the Point of Beginning (POB).

Said tract containing 912.65 square feet or 0.021 acres, more or less.

Exhibit C – PARCEL 5

5.0 – Permanent Easement

A tract of land lying in the Southwest Quarter of Section Twenty-Nine, Township Nine North, Range Two West of the Indian Meridian (SW/4, S29, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A permanent sidewalk easement that is parallel to Porter Avenue on the east side of Porter Avenue. The Point of Beginning is the northwest Corner of LOT 32, BLOCK 30, Norman Original Township, and the easement extends;

S 27°33'34.39"E for a distance of 20.86-ft, thence,
N 62°46'11.90"E for a distance of 10.11-ft, thence,
N 27°45'09.42"W for a distance of 20.93-ft, thence,
S 62°22'13.54"W for a distance of 10.04-ft to the Point of Beginning (POB).

Said tract containing 210.55 square feet or 0.005 acres, more or less.

5.1 – Temporary Construction Easement

A tract of land lying in the Southwest Quarter of Section Twenty-Nine, Township Nine North, Range Two West of the Indian Meridian (SW/4, S29, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A temporary construction easement is parallel to the existing public Right of Way on the east side of Porter Avenue. The Point of Commencement (POC) is the northwest corner of LOT 32, BLOCK 30, Norman Original Township. From the POC, proceed at a bearing of N 62°22'13.54"E for a distance of 10.04-ft to the Point of Beginning (POB). From the POB, the easement extends:

S 27°44'22.48" E for a distance of 20.93-ft, thence,
S 62°46'11.90" W for a distance of 10.11-ft, thence,
S 27°38'30.58" E for a distance of 119.14-ft, thence,
N 62°22'13.54" E for a distance of 20.05-ft, thence,
N 27°37'03.52" W for a distance of 140.00-ft, thence,
S 62°22'13.54" W for a distance of 10.04-ft to the Point of Beginning (POB).

Said tract containing 2,601.94 square feet or 0.060 acres, more or less.

Exhibit D – PARCEL 7

7.0 – Temporary Construction Easement

A tract of land lying in the Southwest Quarter of Section Twenty-Nine, Township Nine North, Range Two West of the Indian Meridian (SW/4, S29, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A temporary driveway easement that lies on the east side of Porter Avenue, and is parallel to Porter Avenue. The Point of Beginning (POB) is the northwest corner of LOT 1, BLOCK 31, Norman Original Township, and extends;

S 27°40'05.57" E for a distance of 140.00-ft, thence,
N 62°22'13.54" E for a distance of 17.03-ft, thence,
N 27°02'53.02" W for a distance of 72.46-ft, thence,
N 62°22'13.54" E for a distance of 7.14-ft, thence,
N 27°36'19.48" W for a distance of 67.54-ft, thence,
S 62°22'13.64" W for a distance of 25.03-ft to the Point of Beginning (POB).

Said tract containing 2,956.87 square feet or 0.068 acres, more or less.

Exhibit E – PARCEL 8

8.0 – Temporary Construction Easement

A tract of land lying in the Southwest Quarter of Section Twenty-Nine, Township Nine North, Range Two West of the Indian Meridian (SW/4, S29, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A temporary driveway easement that lies on the east side of Porter Avenue, and is parallel to Porter Avenue. The Point of Beginning (POB) is the northwest corner of LOT 32, BLOCK 32, Norman Original Township, and extends:

S 27°37'43.67" E for a distance of 140.00-ft, thence,
N 62°12'58.02" E for a distance of 17.78-ft, thence,
N 27°37'46.46" W for a distance of 68.74-ft, thence,
N 60°10'44.07" E for a distance of 5.63-ft, thence,
N 27°37'46"46" W for a distance of 71.00-ft, thence.
S 62°22'13.10" W for a distance of 23.40-ft to the Point of Beginning.

Said tract containing 2,888.60 square feet or 0.066 acres, more or less.

Exhibit F – PARCEL 11

11.0 – Permanent Easement

A tract of land lying in the Southwest Quarter of Section Twenty-Nine, Township Nine North, Range Two West of the Indian Meridian (SW/4, S29, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A permanent sidewalk easement that is parallel to Porter Avenue, and lies on the west side of Porter Avenue. The Point of Beginning (POB) is the northeast corner of LOT 16, BLOCK 23, Norman, Original Township. From the POB, the easement extends:

S 62°19'01.90" W for a distance of 3.33-ft, thence,
S 35°04'01.39" E for a distance of 25.73-ft, thence,
N 27°37'46.46" W for a distance of 25.52-ft to the Point of Beginning (POB).

Said tract containing 42.50 square feet or 0.001 acres, more or less.

Exhibit G – PARCEL 16

16.0 – Temporary Construction Easement

A tract of land lying in the Southwest Quarter of Section Twenty-Nine, Township Nine North, Range Two West of the Indian Meridian (SW/4, S29, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A temporary construction easement that is parallel to Porter Avenue, and lies on the west side of Porter Avenue. The Point of Beginning (POB) is the northeast corner of LOT 17, BLOCK 24, Norman Original Township. From the POB, the easement extends:

S 62°22'13.54" W for a distance of 4.01-ft, thence,
N 27°37'46.46" E for a distance of 50.00-ft, thence,
N 62°22'13.54" E for a distance of 4.01-ft, thence,
N 27°37'46.46" W for a distance of 50.00-ft to the Point of Beginning (POB).

Said tract containing 200.64 square feet or 0.005 acres, more or less.

Exhibit H – PARCEL 18

18.0 – Permanent Easement

A tract of land lying in the Northeast Quarter of Section Thirty, Township Nine North, Range Two West of the Indian Meridian (NE/4, S30, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A permanent sidewalk easement that is parallel to Porter Avenue, and lies on the west side of Porter Avenue. The Point of Beginning (POB) is the northeast corner of LOT 1, BLOCK 3, Highland Addition. From the POB, the easement extends:

S 00°09'01.04" E for a distance of 98.95-ft, thence,
N 02°04'07.95" W for a distance of 88.32-ft, thence,
N 20°37'59.41" W for a distance of 11.41-ft, thence,
N 89°53'45.64" E for a distance of 6.95-ft to the Point of Beginning (POB).

Said tract containing 183.43 square feet or 0.004 acres, more or less.

18.1 – Temporary Construction Easement

A tract of land lying in the Northeast Quarter of Section Thirty, Township Nine North, Range Two West of the Indian Meridian (NE/4, S30, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A temporary construction easement that is parallel to Porter Avenue, and lies on the west side of Porter Avenue. The Point of Commencement (POC) is the northeast corner of LOT 1, BLOCK 3, Highland Addition. From the POC, proceed west on a bearing of S 89°53'45.64" W for a distance of 7.00-ft to the Point of Beginning (POB). From the POB, the easement extends:

S 89°55'17.69" W for a distance of 6.77-ft, thence,
N 55°30'43.86" E for a distance of 11.13-ft, thence,
N 20°51'29.78" W for a distance of 6.75-ft to the Point of Beginning (POB).

Said tract containing 21.37 square feet or 0.001 acres, more or less.

Exhibit I – PARCEL 19

19.0 – Temporary Construction Easement

A tract of land lying in the Northeast Quarter of Section Thirty, Township Nine North, Range Two West of the Indian Meridian (NE/4, S30, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A temporary construction easement that begins at the southeast corner of LOT 1, BLOCK 5, Highland Addition then extends N 00°09'01.04" W and parallel to the existing public Right of Way on the west side of Porter Avenue for a distance of 73.64-ft, thence S89°36'22.30"W for a distance of 15.00-ft, to the Point of Beginning (POB). From the POB, the easement extends:

S 89°41'07.03" W for a distance of 5.82-ft, thence,
N 00°23'37.70" W for a distance of 14.55-ft, thence,
N 45°52'50.00" W for a distance of 26.74-ft, thence,
N 89°45'08.79" W for a distance of 16.66-ft, thence,
N 00°14'51.21" E for a distance of 7.17-ft, thence,
N 89°54'30.90" E for a distance of 16.36-ft, thence,
S 45°22'00.85" E for a distance of 35.62-ft, thence,
S 00°09'01.04" E for a distance of 15.38-ft to the POB.

Said tract containing 358.34 square feet or 0.008 acres, more or less.

Exhibit J – PARCEL 21

21.0 – Temporary Construction Easement

A tract of land lying in the Northeast Quarter of Section Thirty, Township Nine North, Range Two West of the Indian Meridian (NE/4, S30, T9N, R2W, IM), Cleveland County, Oklahoma, being more particularly described as follows:

A temporary construction easement that is parallel to Porter Avenue, and lies on the west side of Porter Avenue. The Point of Beginning (POB) is the northeast corner of LOT 17, BLOCK 2, J. A. Jones Addition. From the POB, the easement extends:

S 89°47'33.57" W for a distance of 15.91-ft, thence,
S 75°10'52.28" E for a distance of 16.47-ft, thence,
N 00°09'01.04" W for a distance of 4.27-ft to the Point of Beginning (POB).

Said tract containing 33.98 square feet or 0.001 acres, more or less.