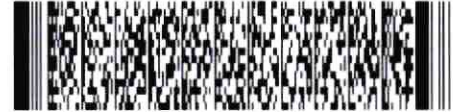


# Resolution

Version 2.2 released on 6/29/21  
Use for all types of Resolutions



## CITY COUNCIL USE ONLY

Date Received: \_\_\_\_\_  
Committee Date: \_\_\_\_\_  
1<sup>st</sup> Agenda Date: \_\_\_\_\_

Tracking #: \_\_\_\_\_  
Committee: \_\_\_\_\_  
Hearing Date: \_\_\_\_\_  
2<sup>nd</sup> Agenda Date: \_\_\_\_\_

## CITY CLERK USE ONLY

☐ Scanned Date: 03.30.2022  
☐ Posted Item #: 2203.00586

All department items requiring Council approval must be submitted through the Mayor's Office.

## Primary Details

### Board Approval

### Other Board Name

### City Council Approval

☒ Yes ☐ No

Department  
Engineering Services

Contact Name  
Michelle L. Lester 3/14/2022

Email  
mlester@cityoftulsa.org

Phone  
(918) 596-7266

Resolution Type  
Condemnation

Owner-Grantor  
Geraldine Hunt (Deceased)

Amount Case Number

TMAPC Number Council District

Description (Subject)  
Northgate Lift Station Relief

Bid/Project Number  
ES 2014-13

Section  
2 Township  
20

Range  
12 Addition  
Unplatted

Lot Block

Address  
62 West 61st Street North

## Budget

### Funding Source(s)

142019.SewerLines.5455604-75003122-541101:

TOTAL:

\$0.00

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project String-Amount (144104.AbstTitle5413102.6001-4043122-541102-\$30,000.01)

## Approvals

Department: \_\_\_\_\_  
Legal: \_\_\_\_\_  
Board: \_\_\_\_\_  
Mayor: \_\_\_\_\_  
Other: \_\_\_\_\_

Date: 03.16.22  
Date: March 23 XXI  
Date: \_\_\_\_\_  
Date: MAR 30 2022  
Date: \_\_\_\_\_

## Policy Statement

### Background Information

ES 2014-13, Northgate Lift Station Relief:

Owner: Geraldine Hunt - Parcels 13A, 13.1 (The property is outside city limits and within Tulsa County)

The Engineering Services Department advises that an existing public necessity requires a Sanitary Sewer Easement on property located at 62 West 61st Street North. Efforts to purchase the easement for the fair market value of \$410.00 could not be completed due to title issues.

Provide background information on the requested action.

### Summation of the Requested Action

The Engineering Services Department has prepared a Resolution authorizing condemnation of the property for consideration and approval, and upon approval, City Legal will initiate condemnation proceedings.

Summarize the pertinent details of the requested action.

### Emergency Clause?

☐ Yes

☒ No

### Reason for Emergency Clause

Explain why you are requesting that the City Council approve the action with an emergency clause.

## Processing Information for City Clerk's Office

### Post Execution Processing

- ☐ Mail vendor copy (add'l signature copies attached)
- ☐ Must be filed with other governmental entity
- ☐ Add'l governmental entity approval(s) required

### Additional Routing and Processing Details

Please return to Courtney Jones for further processing

MSL/CJ/TW

---

(Published in the Tulsa World,

\_\_\_\_\_, 2021)

Resolution No. \_\_\_\_\_

## **RESOLUTION**

A RESOLUTION DECLARING THE PUBLIC NECESSITY FOR THE TAKING, APPROPRIATION, AND CONDEMNATION OF CERTAIN TRACTS OF LAND IN TULSA COUNTY, STATE OF OKLAHOMA, FOR THE **NORTHGATE LIFT STATION RELIEF, PROJECT NO. ES 2014-13**, IN CONNECTION WITH THE CONSTRUCTION OF ADDITIONS AND EXTENSIONS TO THE CITY OF TULSA AND AUTHORIZING AND DIRECTING PROPER OFFICIALS OF THE CITY OF TULSA TO INSTITUTE PROCEEDINGS TO CONDEMN SAID LANDS.

WHEREAS, there has been created a construction project designated as **NORTHGATE LIFT STATION RELIEF, PROJECT NO. ES 2014-13**; and

WHEREAS, employees and agents of the City of Tulsa have been unable to acquire certain tracts of land necessary for the construction of **NORTHGATE LIFT STATION RELIEF, PROJECT NO. ES 2014-13** at its fair market value; and

WHEREAS, the public health, safety and welfare necessitate that the **NORTHGATE LIFT STATION RELIEF, PROJECT NO. ES 2014-13** be constructed as an extension and improvement to the City of Tulsa.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TULSA, OKLAHOMA AS FOLLOWS:

Section 1. It is hereby declared to be necessary for the public health, safety and convenience of the City of Tulsa to acquire each and all of the following rights, title and interests: (1) easements, across, through and under the property, (2) the right to excavate, dredge, cut away and remove, excavated material from the property, (3) title to any excavated materials, and (4) the right to place or relocate dredged or excavated material, all on lands situated in the County of Tulsa, State of Oklahoma, which are more particularly identified as follows:

**OWNER:**                      **Geraldine Hunt**  
                                      **c/o Deletta D. Corley**  
                                      **333 W. 56<sup>th</sup> Street North**  
                                      **Tulsa, Oklahoma 74126**

**PROPERTY:**                **62 W. 61<sup>st</sup> Street North**  
                                      **Tulsa, OK 74126**

SEE EXHIBIT “A” as to nature and description of taking

in order to provide easements on which to construct the **NORTHGATE LIFT STATION RELIEF PROJECT**, for the use of the inhabitants of the City of Tulsa, **PROJECT NO. ES 2014-13**, together with the right of ingress and egress to and from the property, for the purpose of installing, constructing, erecting, maintaining, relaying, and reconstructing of the **NORTHGATE LIFT STATION RELIEF PROJECT**.

Section 2. It is hereby found and determined that these rights, title and interests cannot be acquired by negotiation or purchase at their fair market value and for that reason, upon the recommendation of the Mayor and City Council, the City Attorney of the City of Tulsa is authorized and directed to institute the necessary legal proceedings to acquire the rights, title and interests identified in Section 1 of this Resolution, by the exercise of the power of eminent domain, and to take such further action as may be convenient or necessary to acquire the identified property interests.

**ADOPTED** by the Council this \_\_\_\_ day of \_\_\_\_\_, 2021.

---

Vanessa Hall-Harper, Council Chair

**OFFICE OF THE MAYOR**

Received by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2021, at \_\_\_\_\_ o'clock, \_\_\_\_\_ .m.

\_\_\_\_\_  
G. T. Bynum, Mayor

\_\_\_\_\_  
By: Secretary

**APPROVED** by the Mayor of the City of Tulsa, Oklahoma, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, at \_\_\_\_\_ o'clock, \_\_\_\_\_ .m.

\_\_\_\_\_  
G. T. Bynum, Mayor

(SEAL)

**ATTEST:**

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

**APPROVED AS TO SUBSTANCE:**

  
\_\_\_\_\_  
City Engineer

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

011-1004

PROJECT NO. NORTH GATE LIFT STATION  
RELIEF ES-2014-13

PARCEL NO. 13A

COUNTY TULSA

PAGE 1 of 2

### LEGAL DESCRIPTION

#### PERMANENT EASEMENT

##### Permanent Easement - Parcel 13A:

###### Real Estate:

The East 166 feet of the West 363.65 feet of the North Half of the Northeast Quarter of the Southeast Quarter (N/2 NE/4 SE/4) of Section Two (2), Township Twenty (20) North, Range Twelve (12) East, Tulsa County, State of Oklahoma, according to the U.S Government Survey thereof.

###### Permanent Easement:

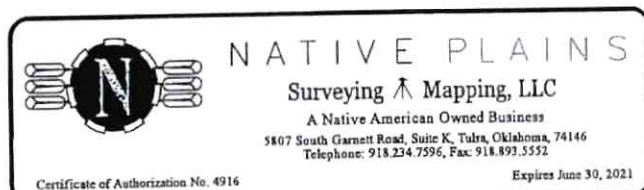
A part of the North Half of the Northeast Quarter of the Southeast Quarter (N/2 NE/4 SE/4) of Section Two (2), Township Twenty (20) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows:

**COMMENCING** at the Northeast corner of said SE/4; thence South 88°00'27" West and along the North line of said SE/4, for a distance of 1121.17 feet; thence South 01°01'57" East, for a distance of 632.92 feet to the **POINT OF BEGINNING**; thence North 88°39'38" East, for a distance of 147.09 feet; thence South 00°54'06" East, for a distance of 15.00 feet to a point on the South line of said N/2 NE/4 SE/4; thence South 88°39'38" West and along said South line, for a distance of 147.05 feet; thence North 01°01'57" West, for a distance of 15.00 feet to the **POINT OF BEGINNING**.

#### REAL PROPERTY CERTIFICATION:

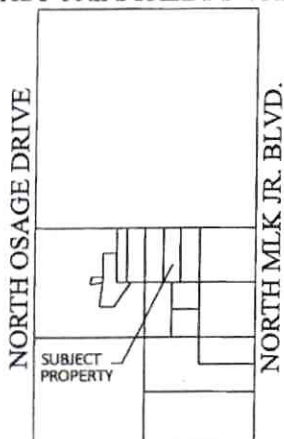
I, Nathaniel J. Reed, certify that the attached legal description closes in accord with existing records, is a true representation of the real property as described, and meets the minimum technical standards for land surveying of the State of Oklahoma.

  
Nathaniel J. Reed  
Date of Signature 12-11-2021





EAST 66th STREET NORTH



EAST 56th STREET NORTH



PROJECT NO. NORTH GATE LIFT STATION  
RELIEF ES-2014-13

PARCEL NO. 13A

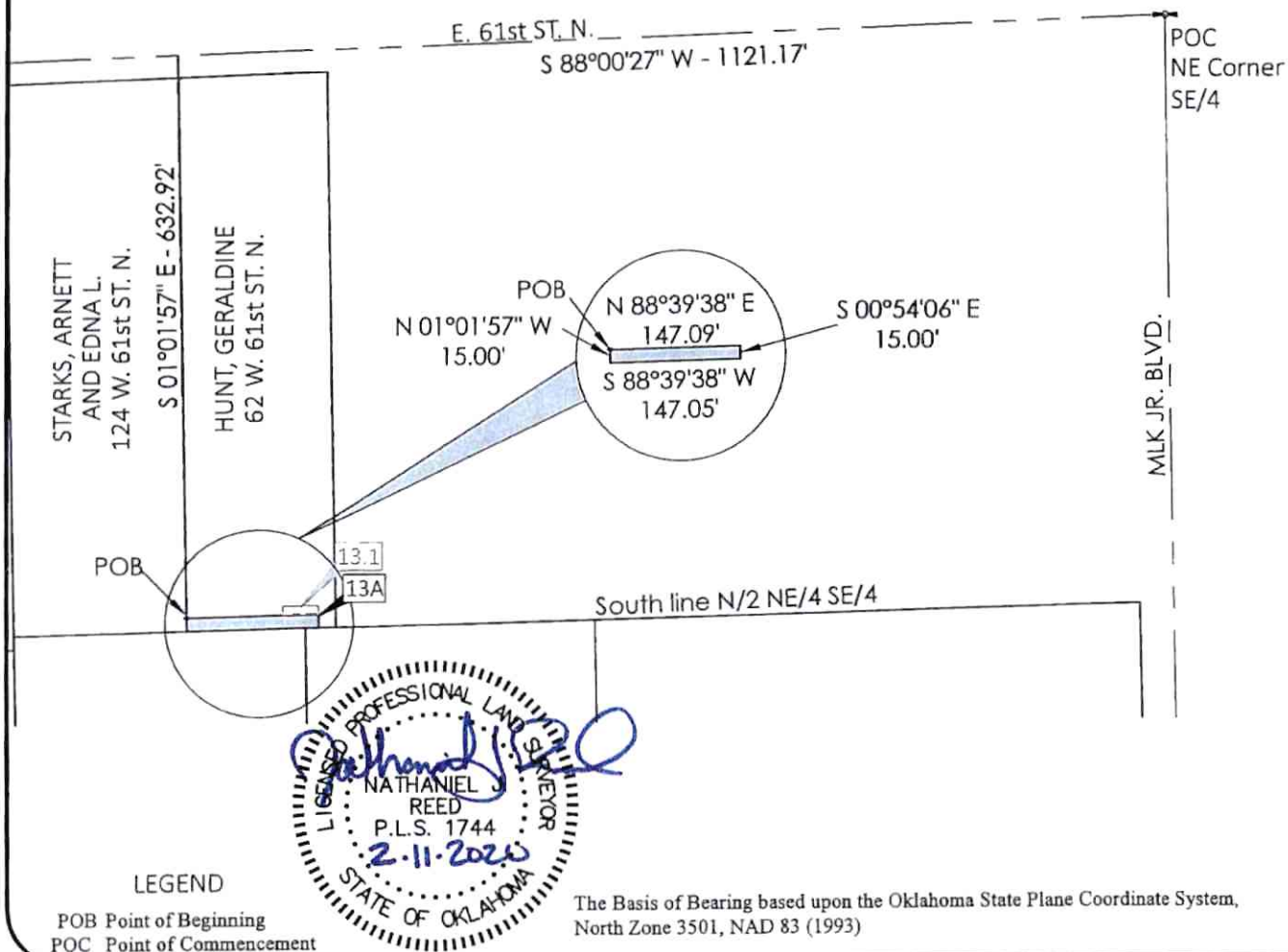
COUNTY TULSA

PAGE 2 of 2

LEGAL DESCRIPTION: The East 166 feet of the  
the West 363.65 feet of the N/2 NE/4 SE/4  
Section 2, Township 20 North, Range 12 East,  
Tulsa County, State of Oklahoma

SEC 2 T 20 N R 12 E

BEFORE GROSS _____	103,561.37	SF	2.38	ACRES
EXISTING R/W _____	0.00	SF	0.00	ACRES
PERMANENT EASEMENT _____	2,206.07	SF	0.05	ACRES
REM IN QTR _____	0.00	SF	0.00	ACRES
TEMPORARY EASEMENT _____	0.00	SF	0.00	ACRES
LIMIT OF NO ACCESS _____	0.00	LF		



**EXHIBIT "A"**

PROJECT NO. NORTH GATE LIFT STATION  
RELIEF ES-2014-13

PARCEL NO. 13.1

COUNTY TULSA

PAGE 1 of 2

### LEGAL DESCRIPTION

#### TEMPORARY EASEMENT

##### Temporary Easement - Parcel 13.1:

###### Real Estate:

The East 166 feet of the West 363.65 feet of the North Half of the Northeast Quarter of the Southeast Quarter (N/2 NE/4 SE/4) of Section Two (2), Township Twenty (20) North, Range Twelve (12) East, Tulsa County, State of Oklahoma, according to the U.S Government Survey thereof.

###### Temporary Easement:

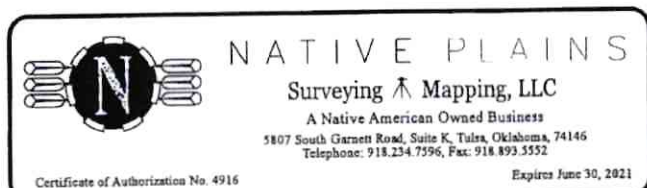
A part of the North Half of the Northeast Quarter of the Southeast Quarter (N/2 NE/4 SE/4) of Section Two (2), Township Twenty (20) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows:

**COMMENCING** at the Northeast corner of said SE/4; thence South 88°00'27" West and along the North line of said SE/4, for a distance of 984.51 feet; thence South 01°59'33" East and perpendicular to said North line, for a distance of 624.51 feet to the **POINT OF BEGINNING**; thence South 00°54'06" East, for a distance of 10.00 feet; thence South 88°39'38" West, for a distance of 40.00 feet; thence North 00°54'06" West, for a distance of 10.00 feet; thence North 88°39'38" East, for a distance of 40.00 feet to the **POINT OF BEGINNING**.

#### REAL PROPERTY CERTIFICATION:

I, Nathaniel J. Reed, certify that the attached legal description closes in accord with existing records, is a true representation of the real property as described, and meets the minimum technical standards for land surveying of the State of Oklahoma.

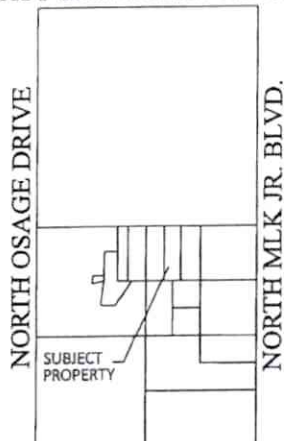
  
Nathaniel J. Reed  
Date of Signature 12-11-2020





AGG

EAST 66th STREET NORTH



PROJECT NO. NORTH GATE LIFT STATION  
RELIEF ES-2014-13

PARCEL NO. 13.1

COUNTY TULSA

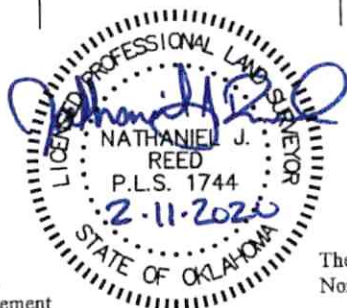
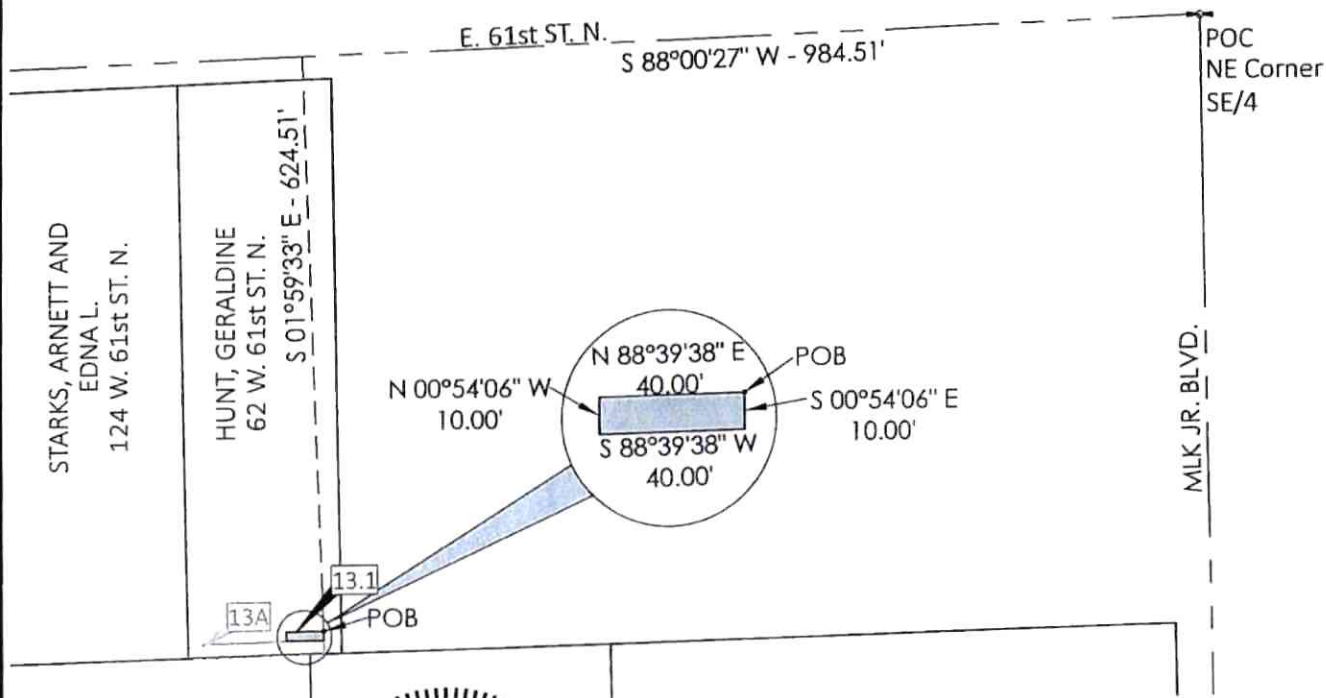
PAGE 2 of 2

LEGAL DESCRIPTION: The East 166 feet of the  
the West 363.65 feet of the N/2 of the NE/4 SE/4  
Section 2, Township 20 North, Range 12 East,  
Tulsa County, State of Oklahoma

SEC 2 T 20 N R 12 E

EAST 56th STREET NORTH

BEFORE GROSS	103,561.37	SF	2.38	ACRES
EXISTING R/W	0.00	SF	0.00	ACRES
PERMANENT EASEMENT	0.00	SF	0.00	ACRES
REM IN QTR	0.00	SF	0.00	ACRES
TEMPORARY EASEMENT	400.00	SF	0.01	ACRES
LIMIT OF NO ACCESS	0.00	LF		



LEGEND

POB Point of Beginning  
POC Point of Commencement

The Basis of Bearing based upon the Oklahoma State Plane Coordinate System,  
North Zone 3501, NAD 83 (1993)

EXHIBIT "A"

---

## CONDEMNATION PARCEL STATUS

---

**DATE:** March 10, 2022

**PROJECT NAME:** Northgate Lift Station Relief

**PARCEL NO.:** 13A, 13.1

**OWNER NAME:** Geraldine Hunt

**PROPERTY ADDRESS:** 62 West 61<sup>st</sup> Street North

**APPRAISED VALUE:** \$400.00

**OWNER COUNTER:** None

**CITY COUNTER:** None

**CITY 2<sup>ND</sup> COUNTER:** None

**CITY FINAL OFFER:** \$400.00

---

### REASONS FOR NON-ACCEPTANCE OF CITY'S OFFER:

- Received appraisal in the amount of \$400.00
- July 1, 2020 – Met with tenant. Tenant is a deceased relative who states he purchased the home. Requested assistance from tenant to have property owner's daughter contact me.
- From September to October 2020 – Communicated with tenant and deceased property owner's daughter.
- October 12, 2020 – Received call from owner's daughter. Daughter states no Probate proceeding took place after mother died, leaving a clouded title. States tenant is a relative but did not purchase the home, and there are no filed records of ownership transfer. She agreed to proceed and will notify her sister.
- November 19, 2020 – Received call from second daughter, who agrees to condemnation.
- March 7, 2022 – After multiple discussions and work on title issues it is determined that clear title will not be obtained; therefore, condemnation is required.

---

### REASON FOR CONDEMNATION:

☒ Project time constraints

☐ Non-agreement between  
City & owner regarding value

☒ Title Issues

☐ Parcel is last one needed  
for project

☐ No communication with owner  
or attorney for owner

☐ Other (Please explain below)

**OTHER:** Please explain.

---

**OTHER COMMENTS:**

---

# Project Expense Inquiry [City of Tulsa]



Back



Search



Browse



Output



Print



Display



PDF



Excel



Email



Schedule



(0) Attach

Project string

▲ Project *	142019	...	Northgate Ls Relief	Description
▲ Phase *	SewerLines	...	Sewer lines	
▲ Task *	5455604	...	Lateral sewer lines & app	
Sub-Task *		...		Justification
Name *	Northgate Ls Relief			
Short Name *	Northgate			
Status	Active			
Projected date range	07/01/2016	to	06/30/2017	Project Availa
Actual date range		to		Actual overhe Expense Type

## PROJECT STRING BALANCES

## GL ACCOUNTS

	Project Year 2022		Project Year 2021		Project Year
Original Budget	.00		.00		
Transfers - In	.00		.00		
Transfers - Out	.00		.00		
Revised Budget	174,936.99		174,936.99		
Actual (Memo)	2,038.25		14,027.00		
Encumbrances	.00		.00		
SOY Encumbrances	.00		.00		
Requisitions	.00		.00		
Inception to SOY	83,429.25		69,402.25		
Available	89,469.49		91,507.74		
Percent Used	48.86		47.69		



3 of 3



Add / Display reminder alerts on ...

# Project Expense Inquiry [City of Tulsa]



Back



Search



Browse



Output



Print



Display



PDF



Excel



Email



Schedule



(0) Attach

Project string

Project *	142019	...	Northgate Ls Relief	Description
Phase *	SewerLines	...	Sewer lines	
Task *	5455604	...	Lateral sewer lines & app	
Sub-Task *		...		Justification
Name *	Northgate Ls Relief			
Short Name *	Northgate			
Status	Active			
Projected date range	07/01/2016	to	06/30/2017	Project Availa
Actual date range		to		Actual overhe Expense Type

PROJECT STRING BALANCES

GL ACCOUNTS

Default GL account

Fund	SubFund	Function	Department	Division	Section
Org	Object	Project			
75003122	541101		<input type="checkbox"/> Allow GL Override		

Budget GL account

Fund	SubFund	Function	Department	Division	Section
Org	Object	Project			
75003122	541101				