

# Resolution

Version 2.7 released on 7/1/25

PWC121683



<b>CITY COUNCIL USE ONLY</b>		<b>CITY CLERK USE ONLY</b>	
Date Received: _____	Tracking #: _____	<input type="checkbox"/> Scanned	Date: <u>02.04.2026</u>
Committee Date: _____	Committee: _____	<input type="checkbox"/> Posted	Item #: <u>2801.00267</u>
1st Agenda Date: _____	Hearing Date: _____		
	2nd Agenda Date: _____		

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

## Primary Details

<b>Board Approval</b>		<b>Other Board Name</b>	<b>City Council Approval</b>
_____		_____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Department</b>	<b>Contact Name</b>	<b>Email</b>	<b>Phone</b>
Public Works	Michelle L. Lester <i>MFL 11/10/25</i>	mlester@cityoftulsa.org	918-596-7262
<b>Resolution Type</b>	<b>Owner-Grantor</b>		
Condemnation	Timothy C. C. Johnson and Seamus W. A. Johnson Liv		
<b>Amount</b>	<b>Case Number</b>	<b>TMAPC Number</b>	<b>Council District</b>
_____	_____	_____	6
<b>Description (Subject)</b>		<b>Bid/Project Number</b>	
Spunky Creek Interceptor Main Stem South Phase 3		ES 2022-09	
<b>Section</b>	<b>Township</b>	<b>Range</b>	<b>Addition</b>
24	19	14	Unplatted
<b>Lot</b>	<b>Block</b>	<b>Address</b>	
_____	_____	Parcel ID #99424-94-24-64020	

## Budget

Funding Source(s)

2131S00004.SewerLines.Sewer.7500N.75003308.541101:

TOTAL: \$0.00

## Approvals

<b>Department:</b>	<u>Josee</u>	<b>Date:</b>	<u>11/24/2025</u>
<b>Legal:</b>	<u>Erica Grayson</u>	<b>Date:</b>	<u>1-15-26</u>
<b>Board:</b>	<u>[Signature]</u>	<b>Date:</b>	<u>FEB 04 2026</u>
<b>Mayor:</b>	<u>[Signature]</u>	<b>Date:</b>	_____
<b>Other:</b>	Krystal S. Reyes Mayor Pro Tem	<b>Date:</b>	_____

## Policy Statement

**Background Information**

Spunky Creek Interceptor Main Stem South Phase 3 - Project No. ES 2022-09.  
 Owner: Timothy Charles Christopher Johnson and Seamus William Abner Johnson Revocable Living Trust dated 9/12/23  
 Parcel 2A - Location: Parcel ID #99424-94-24-64020

The Public Works Department advises that an existing public necessity requires the acquisition of property located at Parcel ID #99424-94-24-64020, adjoining lot east of 19009 E 41st Street, City of Tulsa, Tulsa County. Efforts to purchase an easement for fair market value of \$22,446.00 could not be completed due to a disagreement in value with one owner, the other owner did not respond.

PDZ \_\_\_\_\_ MSL [Signature] 11/24/25 bh \_\_\_\_\_

**Summation of the Requested Action**  
 Approve the Resolution.

**Emergency Clause?** Reason for Emergency Clause

Yes

No

## Processing Information for City Clerk's Office

<b>Post Execution Processing</b>	<b>Additional Routing and Processing Details</b>
<input type="checkbox"/> Mail vendor copy (add'l signature copies attached)	_____
<input type="checkbox"/> Must be filed with other governmental entity	
<input type="checkbox"/> Add'l governmental entity approval(s) required	

MSL 2801-00267

(Published in the Tulsa World,

\_\_\_\_\_, 202\_\_\_\_)

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 **SPUNKY CREEK INTERCEPTOR MAIN STEM SOUTH PHASE 3 – PROJECT NO. ES 2022-09** PURPOSES 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 Project No. **ES 2022-09- SPUNKY CREEK INTERCEPTOR MAIN STEM SOUTH PHASE 3.**

WHEREAS, employees and agents of the City of Tulsa have been unable to acquire certain tracts of land necessary for the construction of **SPUNKY CREEK INTERCEPTOR MAIN STEM SOUTH PHASE 3** project at its fair market value; and

WHEREAS, the public health, safety and welfare necessitate that **SPUNKY CREEK INTERCEPTOR MAIN STEM SOUTH PHASE 3** project 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) a **Sanitary Sewer Easement** and a **Temporary Construction Easement**, over, 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: **Semus William Abner Johnson Revocable Living Trust dated 9/12/2023**  
**7970 Patriot Lane**  
**Sapulpa OK 74066**

&

**Timothy Charles Christopher Johnson**  
**19009 E 41<sup>st</sup> Street**  
**Tulsa OK 74134**

**PROPERTY**

**ADDRESS:** SEE EXHIBIT "A" as to nature and description of the taking

in order to provide a **Sanitary Sewer Easement** and a **Temporary Construction Easement** on which to construct **SPUNKY CREEK INTERCEPTOR MAIN STEM SOUTH PHASE 3** for the use of the inhabitants of the City of Tulsa, Project No. **ES 2022-09, SPUNKY CREEK INTERCEPTOR MAIN STEM SOUTH PHASE 3**, 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 **SPUNKY CREEK INTERCEPTOR MAIN STEM SOUTH PHASE 3**.

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 \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
Phil Lakin, Jr., Chairman, City Council

*eg*

**OFFICE OF THE MAYOR**

Received by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 202\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_.m.

\_\_\_\_\_  
Monroe Nichols IV  
Mayor

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

APPROVED by the Mayor of the City of Tulsa, Oklahoma, this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_.m.

\_\_\_\_\_  
Monroe Nichols IV  
Mayor

(SEAL)  
ATTEST:

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

**APPROVED:**

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

*eg*

*[Handwritten Signature]*  
\_\_\_\_\_  
Director

PARCEL NO. 2A  
COUNTY TULSA

**LEGAL DESCRIPTION**

SEAMUS WILLIAM ABNER JOHNSON  
REVOCABLE LIVING TRUST  
PERMANENT EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (E/2 SE/4 SE/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


**COMMENCING** AT THE SOUTHEAST CORNER OF SAID SE/4; THENCE SOUTH 88°37'06" WEST AND ALONG THE SOUTH LINE OF SAID SE/4, FOR A DISTANCE OF 658.85 FEET TO THE SOUTHWEST CORNER OF SAID E/2 SE/4 SE/4; THENCE NORTH 01°18'44" WEST AND ALONG THE WEST LINE OF SAID E/2 SE/4 SE/4, FOR A DISTANCE OF 24.75 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING NORTH 01°18'44" WEST AND ALONG SAID WEST LINE, FOR DISTANCE OF 110.75 FEET; THENCE NORTH 21°21'39" EAST, FOR A DISTANCE OF 425.40 FEET; THENCE NORTH 04°51'45" EAST, FOR A DISTANCE OF 799.43 FEET TO A POINT ON THE NORTH LINE OF SAID SE/4 SE/4; THENCE NORTH 88°35'24" EAST AND ALONG SAID NORTH LINE, FOR A DISTANCE OF 50.30 FEET; THENCE SOUTH 04°51'45" WEST, FOR A DISTANCE OF 812.18 FEET; THENCE SOUTH 21°21'39" WEST, FOR A DISTANCE OF 498.59 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 12.92 FEET, A CHORD BEARING OF SOUTH 05°54'15" WEST, A CHORD DISTANCE OF 5.73 FEET, FOR AN ARC DISTANCE OF 5.78 FEET; THENCE SOUTH 04°25'32" EAST, FOR A DISTANCE OF 24.96 FEET; THENCE SOUTH 88°37'06" WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SE/4, FOR A DISTANCE OF 21.35 FEET TO THE **POINT OF BEGINNING**. CONTAINING 64,850.03 SQUARE FEET OR 1.49 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BASED ON OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501) NAD 83 (1993).

**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: 3-3-2025  
DATE OF LAST SITE VISIT: 12-19-2024

 **NATIVE PLAINS**  
Surveying † Mapping, LLC  
A Native American Owned Business  
5807 South Garnett Road, Suite K, Tulsa, Oklahoma, 74146  
Telephone: 918.234.7506, Fax: 918.893.5552  
Certificate of Authorization No. 4916 Expires June 30, 2025

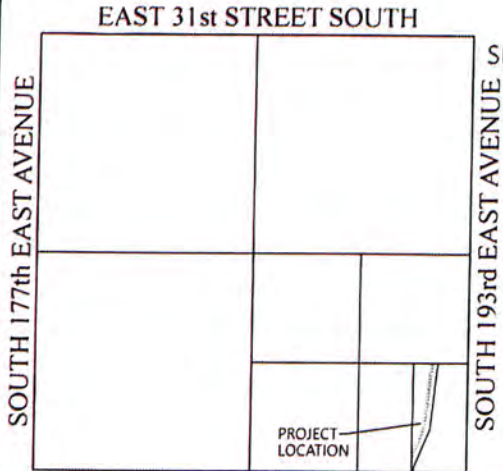
PLAT OF SURVEY

SEAMUS WILLIAM ABNER JOHNSON  
REVOCABLE LIVING TRUST  
PERMANENT EASEMENT

PARCEL NO. 2A  
COUNTY TULSA

LEGAL DESCRIPTION: A TRACT OF LAND LOCATED  
IN THE E/2 SE/4 SE/4, SECTION 24, TOWNSHIP 19  
NORTH, RANGE 14 EAST, TULSA COUNTY,  
STATE OF OKLAHOMA

SEC 24 T 19 N R 14 E



TEMPORARY EASEMENT	0.00 SF	0.00 ACRES
PERMANENT EASEMENT	64,850.03 SF	1.49 ACRES

NORTH LINE SE/4 SE/4  
SEC. 24, T.19N., R.14E.

SEAMUS WILLIAM  
ABNER JOHNSON  
REVOCABLE LIVING  
TRUST  
E/2 SE/4 SE/4  
QUIT CLAIM DEED  
DOC. #2023074267

24.75' STATUTORY R/W

25' RIGHT OF WAY AGREEMENT  
TO OKLAHOMA NATURAL GAS  
BOOK 4768, PAGE 1311

40.25' WATER EASEMENT TO  
CITY OF TULSA, BOOK 4965,  
PAGE 919



LINE	BEARING	DISTANCE
L1	S 88°37'06" W	658.85'
L2	N 01°18'44" W	24.75'
L3	N 01°18'44" W	110.75'
L4	N 21°21'39" E	425.40'
L5	N 04°51'45" E	799.43'
L6	N 88°35'24" E	50.30'
L7	S 04°51'45" W	812.18'
L8	S 21°21'39" W	498.59'
L9	S 04°25'32" E	24.96'
L10	S 88°37'06" W	21.35'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH
C1	12.92'	5.78'	5.73'
CHORD BEARING		DELTA ANGLE	
S 05°54'15" W		25°37'55"	

POC  
SE CORNER SE/4  
SEC. 24, T.19N., R.14E.

I, NATHANIEL J. REED, OF THE STATE OF OKLAHOMA, AND A PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE SHOWN PLAT OF SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

24.75' STATUTORY R/W

POB  
L2  
L3  
L9  
L10  
E. 41st ST.  
SOUTH LINE SE/4  
SEC. 24, T.19N., R.14E.

25.25' WATER EASEMENT TO CITY  
OF TULSA BOOK 4965, PAGE 919

LEGEND

- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- 60D NAIL SET

BASIS OF BEARINGS: BASED ON OKLAHOMA STATE PLANE  
COORDINATE SYSTEM, NORTH ZONE (3501) NAD 83 (1993).

NATHANIEL J. REED: REED

DATE OF SIGNATURE

DATE OF LAST SITE VISIT



PARCEL NO. \_\_\_\_\_ 2.1  
COUNTY \_\_\_\_\_ TULSA

LEGAL DESCRIPTION

TEMPORARY EASEMENT

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (E/2 SE/4 SE/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


**COMMENCING** AT THE SOUTHEAST CORNER OF SAID SE/4; THENCE SOUTH 88°37'06" WEST AND ALONG THE SOUTH LINE OF SAID SE/4, FOR A DISTANCE OF 658.85 FEET TO THE SOUTHWEST CORNER OF SAID E/2 SE/4 SE/4; THENCE NORTH 01°18'44" WEST AND ALONG THE WEST LINE OF SAID E/2 SE/4 SE/4, FOR A DISTANCE OF 135.50 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING NORTH 01°18'44" WEST AND ALONG SAID WEST LINE, FOR DISTANCE OF 129.71 FEET; THENCE NORTH 21°21'39" EAST, FOR A DISTANCE OF 298.46 FEET; THENCE NORTH 04°51'45" EAST, FOR A DISTANCE OF 786.69 FEET TO A POINT ON THE NORTH LINE OF SAID SE/4 SE/4; THENCE NORTH 88°35'24" EAST AND ALONG SAID NORTH LINE, FOR A DISTANCE OF 50.30 FEET; THENCE SOUTH 04°51'45" WEST, FOR A DISTANCE OF 799.43 FEET; THENCE SOUTH 21°21'39" WEST, FOR A DISTANCE OF 425.40 FEET TO THE **POINT OF BEGINNING**. CONTAINING 57,749.63 SQUARE FEET OR 1.33 ACRES, MORE OR LESS.

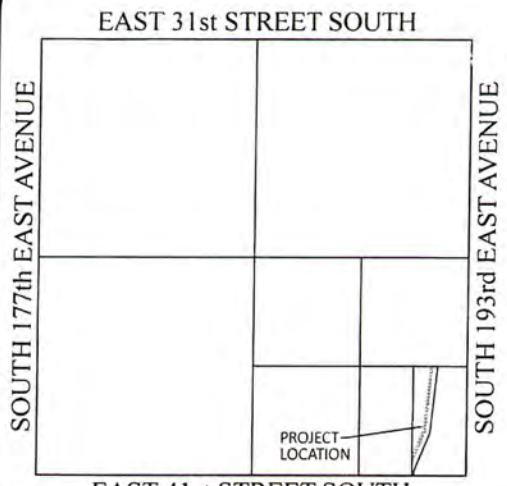
BASIS OF BEARINGS: BASED ON OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501) NAD 83 (1993).

**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: 3.5.2025  
DATE OF LAST SITE VISIT: 12.19.2024

 **NATIVE PLAINS**  
Surveying † Mapping, LLC  
A Native American Owned Business  
5807 South Garnett Road, Suite K, Tulsa, Oklahoma, 74146  
Telephone: 918.234.7596, Fax: 918.893.5532  
Certificate of Authorization No. 4916 Expires June 30, 2025



**PLAT OF SURVEY**

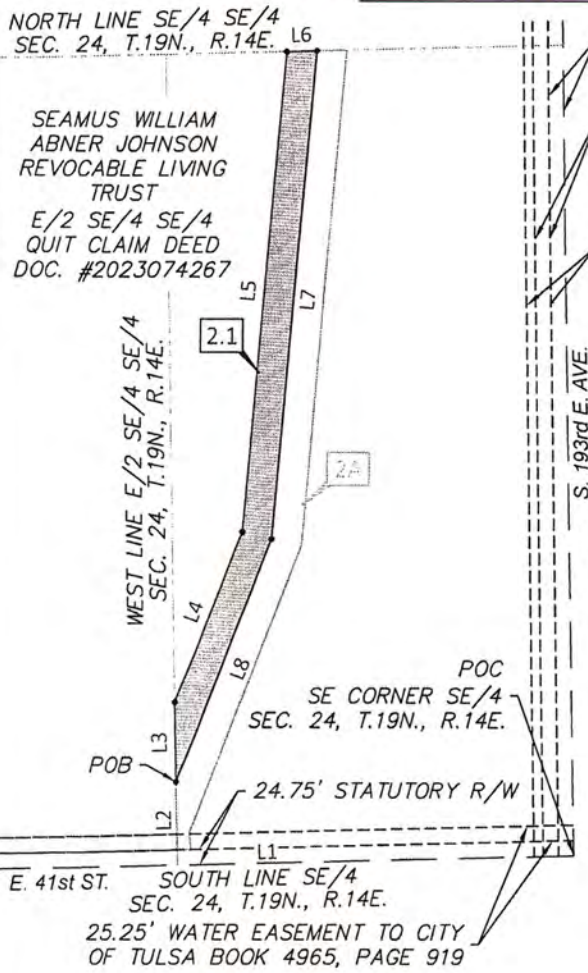
PARCEL NO. 2.1  
 COUNTY TULSA

TEMPORARY EASEMENT

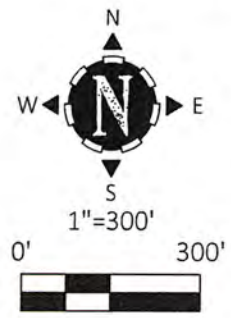
LEGAL DESCRIPTION: A TRACT OF LAND LOCATED  
IN THE E/2 SE/4 SE/4, SECTION 24, TOWNSHIP 19  
NORTH, RANGE 14 EAST, TULSA COUNTY,  
STATE OF OKLAHOMA

SEC 24 T 19 N R 14 E

EAST 41st STREET SOUTH  
 TEMPORARY EASEMENT 57,749.63 SF 1.33 ACRES  
 PERMANENT EASEMENT 0.00 SF 0.00 ACRES



24.75' STATUTORY R/W  
 25' RIGHT OF WAY AGREEMENT  
 TO OKLAHOMA NATURAL GAS  
 BOOK 4768, PAGE 1311  
 40.25' WATER EASEMENT TO  
 CITY OF TULSA, BOOK 4965,  
 PAGE 919



LINE	BEARING	DISTANCE
L1	S 88°37'06" W	658.85'
L2	N 01°18'44" W	135.50'
L3	N 01°18'44" W	129.71'
L4	N 21°21'39" E	298.46'
L5	N 04°51'45" E	786.69'
L6	N 88°35'24" E	50.30'
L7	S 04°51'45" W	799.43'
L8	S 21°21'39" W	425.40'

I, NATHANIEL J. REED, OF THE STATE OF OKLAHOMA, AND A PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE SHOWN PLAT OF SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

LEGEND  
 POB POINT OF BEGINNING  
 POC POINT OF COMMENCEMENT  
 • 60D NAIL SET

BASIS OF BEARINGS: BASED ON OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501) NAD 83 (1993).

NATHANIEL J. REED  
 NATHANIEL J. REED, P.L.S. 1744  
 DATE OF SIGNATURE 3.3.2015  
 DATE OF LAST SITE VISIT 12.19.2014

**MUNIS for ES 2022-09**  
**As of 9/5/2025**

Project *	75003308	Spunky Creek MS Interceptor S - C1
Phase *	SEWERLINES	Sewer lines
Task *	Sewer	Sewer projects
Sub-Task *	750033	TMUA Sewer Capital Projects

Name *	Spunky Creek MS Interceptor S	
Short Name *	Spunky Creek	
Status	Active	
Projected date range	10/1/2025	to 9/30/2026
Actual date range		to

Project String Balances		GL Account
<input type="button" value="◀"/>		Project Year 2026
Original Budget	.00	
Transfers - In	.00	
Transfers - Out	.00	
Revised Budget	982,373.88	
Actual (Memo)	11,806.00	
Encumbrances	100,786.00	
SOY Encumbrances	.00	
Requisitions	.00	
Inception to SOY	546,951.89	
Available	322,829.99	
Percent Used	8 / 14	

Project String hierarchy		GL Accounts
Default GL account		
Fund	SubFund	Function
Org	Object	Project
75003308	541101	

## CONDEMNATION PARCEL STATUS

<b>DATE:</b>	November 20, 2025
<b>PROJECT NAME:</b>	Spunky Creek Interceptor Main Stem South Phase 3
<b>PROJECT:</b>	ES 2022-09
<b>PARCEL NO.:</b>	2A & 2.1
<b>OWNER NAME:</b>	Semus William Abner Johnson Revocable Living Trust dated 9/12/2023 (1/2 interest) & Timothy Charles Christopher Johnson (1/2 interest)
<b>PROPERTY ADDRESS:</b>	Parcel ID #99424-94-24-64020
<b>APPRAISED VALUE:</b>	\$22,446.00
<b>CITY FINAL OFFER:</b>	\$22,446.00

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

- May 1, 2025 – Initial Offer Letter sent.
- June 13, 2025 – Second Offer Letter sent.
- July 15, 2025 – Final Offer Letter sent.
- Numerous emails and phone conversations from May to July 2025 were unsuccessful primarily due to a disagreement between family owners (brothers) and excessive requests from one of the owners.
- One of the owners wanted city water and sewer hook-up. City engineers determined that this is very expensive and would not be possible.

**REASON FOR CONDEMNATION:**

<input checked="" type="checkbox"/> Project time constraints	<input checked="" type="checkbox"/> Non-agreement between City & owner regarding value	<input type="checkbox"/> Title Issues
<input type="checkbox"/> Parcel is last one needed for project	<input checked="" type="checkbox"/> Non-responsive Owner	<input checked="" type="checkbox"/> Other (Please explain below)

**OTHER:** Please explain.

Multiple owners. One of the owners failed to respond. The other owner had excessive demands that were very expensive. Also, there were disagreements between owners.

**OTHER COMMENTS:**