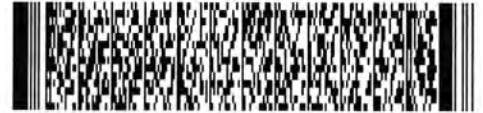


Resolution

Version 2.7 released on 7/1/25

PN 0121 8022



CITY COUNCIL USE ONLY

Date Received: _____
Committee Date: _____
1st Agenda Date: _____

Tracking #: _____
Committee: _____
Hearing Date: _____
2nd Agenda Date: _____

CITY CLERK USE ONLY

Scanned Date: 03.18.2026
 Posted Item #: 2603.00681

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 Public Works
Engineering Services

Contact Name Michelle L. Lester
MLL 2/12/26

Email Mlester@cityoftulsa.org

Phone 918-596-7266

Resolution Type
Condemnation

Owner-Grantor
Kevin Lamb and Bernadette Lamb

Amount _____ Case Number _____

TMAPC Number _____ Council District
9

Description (Subject)
46th and Lewis Unsewered Area, Contract 2, Area 2

Bid/Project Number
ES 2018-04 Area 2

Section 30 Township 19

Range 13 Addition
BOLEWOOD ACRES

Lot 4 Block 1

Address
4155 S. Zunis Ave.

Budget

Funding Source(s)

2431S00014.SewerLines.Sewer.7500N. 75003308. 541101: \$0.00

TOTAL: \$0.00

Approvals

Department: _____
Legal: *Erica Grayson*
Board: _____
Mayor: _____
Other: _____

Krystal S. Reyes
Mayor Pro Tem

Date: 2/18/2026
Date: 3-11-26
Date: _____
Date: MAR 18 2026
Date: _____

Policy Statement

Background Information

Project No. ES 2018-04 Area 2: 46th and Lewis Unsewered Area, Contract 2, Area 2

Owners: Kevin Lamb and Bernadette Lamb - Parcel 12A - Location: 4155 S. Zunis Ave.

Public Works advises that an existing public necessity requires the acquisition of a Sanitary Sewer Easement located at 4155 S. Zunis Ave., City of Tulsa, Tulsa County. Efforts to purchase a Sanitary Sewer Easement for the fair market value of \$42,000.00, could not be completed and no counter-offer was received. In June of 2025, the owners hired an attorney and since then neither the attorney nor the property owners have responded to our outreach.

PDZ: swb 2/12/26 MSL: MSL 2/17/26 CJ: swb

Summation of the Requested Action

Approve the Resolution.

Emergency Clause?

Yes

No

Reason for Emergency Clause

Construction time constraints.

2026-RFE-0110

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

COURTNEY JONES, 6-9549

CONDEMNATION PARCEL STATUS

DATE: January 27, 2026
PROJECT NAME: 46th and Lewis Unsewered Area, Contract 2, Area 2
PROJECT: ES 2018-04 Area 2
PARCEL NO.: 12A
OWNER NAME: Kevin Lamb and Bernadette Lamb
SITE ADDRESS: 4155 S Zunis Ave

CITY OFFER: \$42,000.00
OWNER COUNTER: N/A

CITY FINAL OFFER: \$42,000.00

REASONS FOR NON-ACCEPTANCE OF CITY'S OFFER:

Initial Offer Negotiations

- May of 2025 – Kelly Weltzheimer-Smith, Engineer with City of Tulsa Wastewater Design, met with homeowners to discuss project and possible paths for sewer line across their property.
- June 6, 2025 – Attorney, Andrew Shank, left voicemail and sent email that he was representing the homeowners. He confirmed the preferred route of sewer line, requested settlement offer for discussion with his clients and directed that he be included in all communications with them.
- July 10, 2025 – Offer letter mailed to homeowners and emailed to Andrew Shank. Included a copy of the appraisal with the email to Andrew Shank, at his request.
- July 21, 2025 – Andrew Shank emailed confirmation that he had received City's offer and requested the property be staked, if not already, for his discussion with the homeowners. I confirmed that property was staked as part of appraisal process.
- September 2, 2025 – Voicemail left and email sent to Andrew Shank, requesting response to City's offer.
- September 30, 2025 – Second offer letter mailed to homeowners and emailed to Andrew Shank.
- October 1, 2025 – Andrew Shank sent confirmation email that he received second offer letter and would discuss with homeowners.
- November 19, 2025 – Final offer letter mailed to homeowners and mailed to Andrew Shank.
- Property owners and their attorney have not responded with any counteroffer or questions about the City's offer.

REASON FOR CONDEMNATION:		
<input checked="" type="checkbox"/> Project time constraints	<input checked="" type="checkbox"/> Non-agreement between City & owner because owner refuses to respond	Title Issues
Parcel is last one needed for project		Other (Please explain below)
OTHER: Please explain.		
OTHER COMMENTS: 2431S00014.SewerLines.Sewer.7500N. 75003308. 541101		

2431S00014.SewerLines.Sewer.7500N.75003308.541101

Project Expense Inquiry [City of Tulsa]

<input type="button" value="▲"/>	Project *	2431S00014	Unsewered Areas Areawide
<input type="button" value="▲"/>	Phase *	SewerLines	Sewer lines
<input type="button" value="▲"/>	Task *	Sewer	Sewer projects
	Sub-Task *	7500N	TMUA Sewer Capital Projects

Name *	Unsewered Areas Areawide		
Short Name *	UnSewer AW		
Status	Active		▼
Projected date range	07/01/2023	to	06/30/2033
Actual date range		to	

Project String Balances GL Accounts

	Project Year 2026		Project Year 2025
<input type="button" value="4"/>			
Original Budget	.00	<input type="button" value="■"/>	.00 <input type="button" value="■"/>
Transfers - In	.00	<input type="button" value="■"/>	.00 <input type="button" value="■"/>
Transfers - Out	.00	<input type="button" value="■"/>	.00 <input type="button" value="■"/>
Revised Budget	3,682,000.00		3,682,000.00
Actual (Memo)	.00	<input type="button" value="■"/>	.00 <input type="button" value="■"/>
Encumbrances	.00	<input type="button" value="■"/>	.00 <input type="button" value="■"/>
SOY Encumbrances	.00		.00
Requisitions	.00	<input type="button" value="■"/>	.00 <input type="button" value="■"/>
Inception to SOY	.00		.00
Available	3,682,000.00		3,682,000.00
Percent Used	0.00		0.00

Project Expense Inquiry [City of Tulsa]

<input type="checkbox"/> Project *	2431S00014	Unsewered Areas Areawide	Description
<input type="checkbox"/> Phase *	SewerLines	Sewer lines	
<input type="checkbox"/> Task *	Sewer	Sewer projects	Justification
Sub-Task *	7500N	TMUA Sewer Capital Projects	
Name *	Unsewered Areas Areawide		
Short Name *	UnSewer AW		
Status	Active	-	Project Available Budget
Projected date range	07/01/2023	to 06/30/2033	
Actual date range		to	Actual overhead rate
			Expense Type

Project String Balances GL Accounts

Default GL account

Fund	SubFund	Function	Department	Division	Section
Org	Object	Project			
75003308	541101				

Budget GL account

Fund	SubFund	Function	Department	Division	Section
Org	Object	Project			
75003308	541101				

(Published in the Tulsa World,

_____, 20__)

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 **PROJECT NO. ES 2018-04 AREA 2, 46TH AND LEWIS UNSEWERED AREA, CONTRACT 2, AREA 2**, 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 2018-04 AREA 2, 46TH AND LEWIS UNSEWERED AREA, CONTRACT 2, AREA 2**.

WHEREAS, employees and agents of the City of Tulsa have been unable to acquire certain tracts of land necessary for the construction of **PROJECT NO. ES 2018-04 AREA 2, 46TH AND LEWIS UNSEWERED AREA, CONTRACT 2, AREA 2**, at its fair market value; and

WHEREAS, the public health, safety and welfare necessitate that **PROJECT NO. ES 2018-04 AREA 2, 46TH AND LEWIS UNSEWERED AREA, CONTRACT 2, AREA 2**, 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) Sanitary Sewer 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:

OWNERS: **Kevin Lamb and Bernadette Lamb**
 4155 S. Zunis Ave.
 Tulsa, Oklahoma 74105-4235

EJG

**PROPERTY ADDRESS: 4155 S. Zunis Ave. (Parcel 12A)
Tulsa, Oklahoma 74105-4235**

SEE EXHIBIT "A" as to nature and description of taking

in order to provide a Sanitary Sewer Easement on which to construct **PROJECT NO. ES 2018-04 AREA 2, 46TH AND LEWIS UNSEWERED AREA, CONTRACT 2, AREA 2**, for the use of the inhabitants of the City of Tulsa, **PROJECT NO. ES 2018-04 AREA 2, 46TH AND LEWIS UNSEWERED AREA, CONTRACT 2, AREA 2**. 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 **PROJECT NO. ES 2018-04 AREA 2, 46TH AND LEWIS UNSEWERED AREA, CONTRACT 2, AREA 2**.

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.

Section 3. That an emergency is hereby declared to exist for the preservation of the public peace, health and safety, by reason whereof this Resolution shall be in full force and effect immediately from and after its passage, approval and publication.

ADOPTED by the Council this ____ day of _____, 2026.

Karen Gilbert, Chair, City Council

ADOPTED as an emergency measure and ruled upon separately this ____ day of _____, 2026.

Karen Gilbert, Chair, City Council

OFFICE OF THE MAYOR

Received by the Mayor this _____ day of _____, 2026, 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 AS TO SUBSTANCE:



Director

APPROVED AS TO FORM:


City Attorney 

Exhibit A

LEGAL DESCRIPTION

Permanent Easement

A part of Lot Four (4), Block One (1), BOLEWOOD ACRES, a subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, and being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 4; thence South 84°30'49" West and along the South line of said Lot 4, for a distance of 195.90 feet to the Southwest corner of said Lot 4; thence along the West line line of said Lot 4, being a curve to the left with a radius of 724.64 feet, a chord bearing of North 04°16'18" West, a chord distance of 25.01 feet, for an arc distance of 25.01 feet; thence North 84°30'49" East and parallel with said South line, for a distance of 197.18 feet to a point on the East line of said Lot 4; thence South 01°19'58" East and along said East line, for a distance of 25.07 feet to the **POINT OF BEGINNING**.

Containing 4,911.73 square feet or 0.11 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

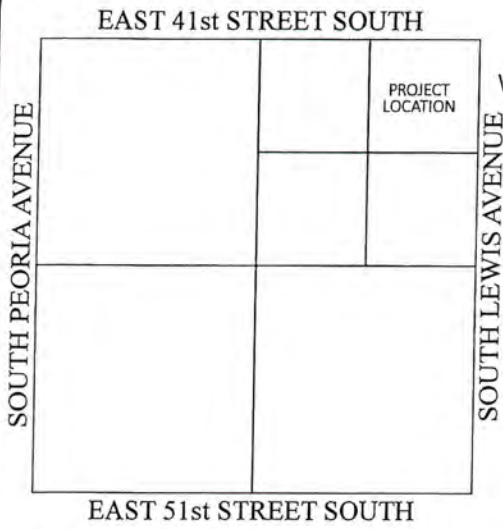



NATIVE PLAINS
Surveying & Mapping, LLC
A Native American Owned Business
1807 South Garnett Road, Suite K, Tulsa, Oklahoma, 74128
Telephone: 918.234.7596, Fax: 918.893.5552

Certificate of Authorization No 4916 Expires June 30, 2027

Handwritten initials

PARCEL NO. 12A
 COUNTY TULSA
 PAGE 2 of 2



LEGAL DESCRIPTION: A tract of land in Lot 4,
 Block 1, BOLEWOOD ACRES, a subdivision in the
 City of Tulsa, Tulsa County, State of Oklahoma

SEC 30 T 19 N R 13 E

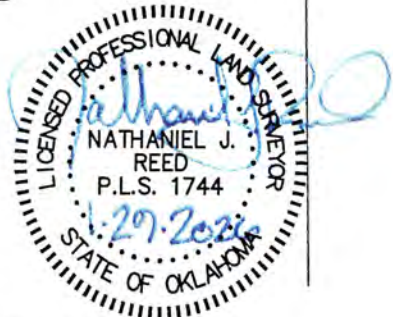
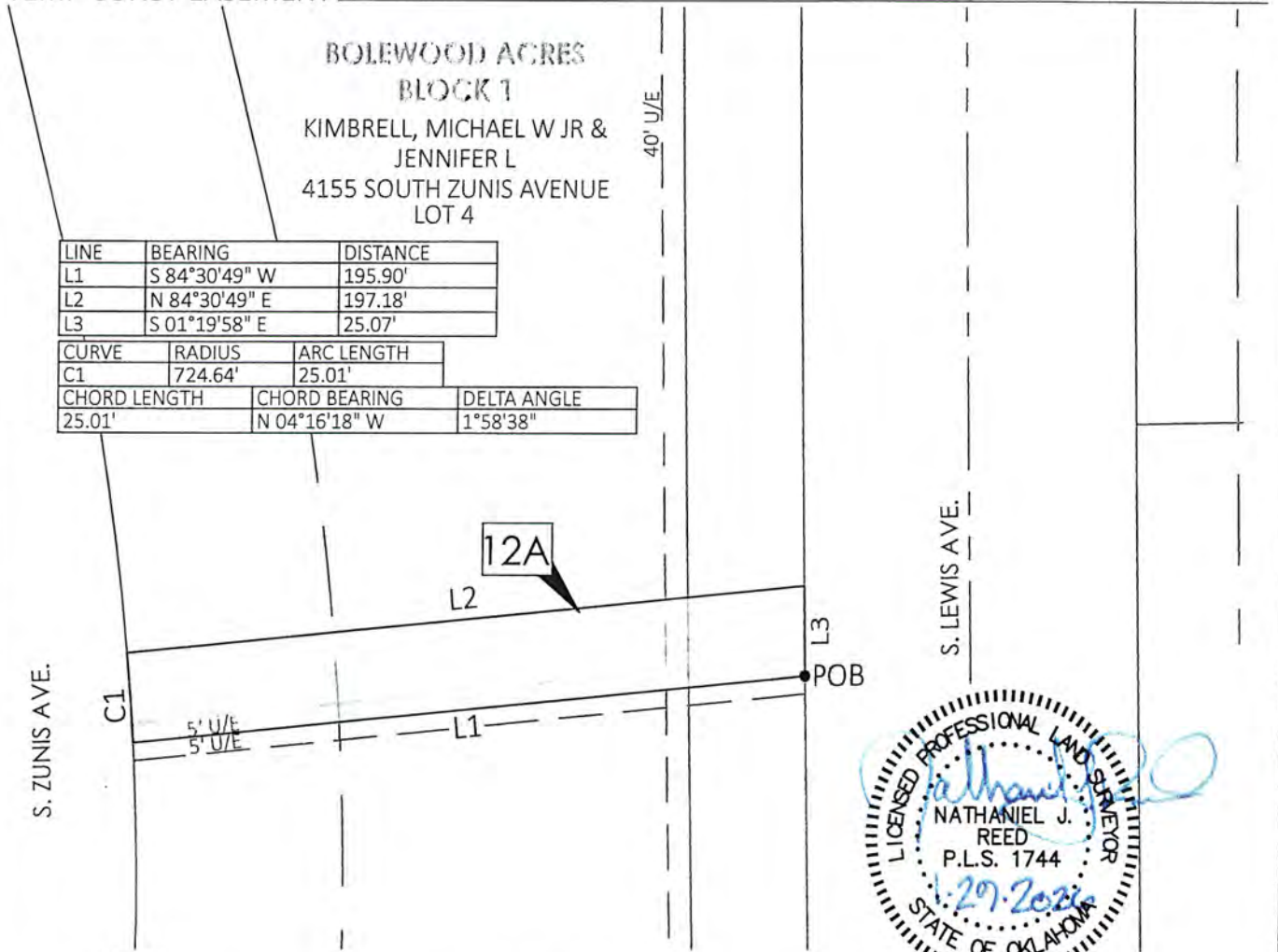
PERMANENT R/W	0.00	SF	0.00	ACRES
REM IN QTR	0.00	SF	0.00	ACRES
PERMANENT EASEMENT	4,911.73	SF	0.11	ACRES
TEMP CONST EASEMENT	0.00	SF	0.00	ACRES

BOLEWOOD ACRES
 BLOCK 1
 KIMBRELL, MICHAEL W JR &
 JENNIFER L
 4155 SOUTH ZUNIS AVENUE
 LOT 4

LINE	BEARING	DISTANCE
L1	S 84°30'49" W	195.90'
L2	N 84°30'49" E	197.18'
L3	S 01°19'58" E	25.07'

CURVE	RADIUS	ARC LENGTH
C1	724.64'	25.01'

CHORD LENGTH	CHORD BEARING	DELTA ANGLE
25.01'	N 04°16'18" W	1°58'38"



LEGEND

POB Point of Beginning
 POC Point of Commencement

Basis of Bearings: Based on Oklahoma State Plane Coordinate System,
 North Zone (3501) NAD 83 (1993).