

(See Exhibit "A" attached)

Said property hereinafter referred to as "Subject Property," plus, all right, title and interest in and to all land, fixtures and appurtenances within the boundaries of the Subject Property incidentally removed during the use of said easement.

We further report that giving consideration to the value of said property so taken, including, if any, the value of any and all improvements thereon, together with the damage to that portion, if any, of the Defendants' property not taken; and we hereby assess the damage to the owners, lessees or anyone claiming or having any right, title or interest in said property as follows:

Damages Assessed: 18,300 --

IN WITNESS WHEREOF we have hereunto set our hands this 22nd day of December, 2006.

[Signature]
Jim Bowers

[Signature]
Richard Riley

[Signature]
Jim Hoyt

COMMISSIONERS

WI
WHEN RECORDED MAIL TO
NAME OK City Atty Office
ADDRESS 200 N. Walker Fl. 4
OKC, OK 73102

I, PATRICIA PRESLEY, Court Clerk for Oklahoma County, Okla., hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith set out as appears of record in the District Court Clerk's Office of Oklahoma County, Okla. this 9 day of June, 2006
By [Signature] PATRICIA PRESLEY, Court Clerk Deputy

EXHIBIT "A"

Property Description

A part of SW $\frac{1}{4}$, Section 35, T11N, R3W IM Oklahoma City, Oklahoma County, Oklahoma, said part being more particularly described as follows:

Commencing at the SW corner of said SW $\frac{1}{4}$ thence N0°25'45"W along the west line of said SW $\frac{1}{4}$ a distance of 550.00 ft; thence S89°31'09" E a distance of 61.21 ft to the point or place of beginning ; thence N3°53'47"W along the East right of way line of I-35 a distance of 42.56 ft; thence N89°31'09"E a distance of 50.00 ft. ; thence S0°00'00" W a distance of 42.47 ft. ; thence S89°31'09"W a distance of 41.11 ft. to the point or place of beginning containing 2062.2228 sq. ft +/- and/or 0.0473 acres +/-, basis of bearing for this description is N89°31'09"E along the south line of said SW $\frac{1}{4}$.

1-30-07
BR

**THE CITY OF OKLAHOMA CITY
OFFICE OF
THE MUNICIPAL COUNSELOR**

FILED

2007 JAN 30 P 12:02

**TO: Dennis Clowers, Director
Public Works Department**

**FROM: Susan D. Randall *SDR*
Assistant Municipal Counselor**

CITY OF
OKLAHOMA COUNTY
OFFICE OF
THE MUNICIPAL COUNSELOR

DATE: January 19, 2007

RE: *City of Oklahoma City v. TMF II Investments, Inc., et al., Oklahoma County District Court Case No. CJ-2006-6820; Street Project WC-0516; Project No. SE 89th & I-35; Fee Simple Title; Permanent Easements for Water/Wastewater Utilities Project*

Attached hereto is the claim of Patricia Presley, Court Clerk of Oklahoma County, in the amount of \$22,285.00.

This amount is broken down as follows:

Court Costs	\$ 166.00
Award of Commissioners	18,300.00
Fees of Commissioners	3,600.00
Poundage	<u>219.00</u>
TOTAL	\$ 22,285.00

A copy of this memo with a certified copy of the Report of Commissioners attached is being forwarded to the City Clerk.

As soon as the money is deposited into the Court and if the defendants do not file Exceptions to the Report of Commissioners within 30 days of the filing thereof, The City may go into possession of the property.

SDR/dwl

Attachments

cc: City Clerk
Danny Herrera, Public Works
Sherri Turner, Public Works