

Juan Hilton

2008 OK 4

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

SUPREME COURT
OKLAHOMA

JAN 22 2008

MICHAEL S. RIGHIE
CLERK

SOUTH TULSA CITIZENS COALITION,
L.L.C.; and TOM SNIDER, an individual,

Plaintiffs/Appellants,

v.

ARKANSAS RIVER BRIDGE AUTHORITY;
CITY OF JENKS; and INFRASTRUCTURE
VENTURES, INC.,

Defendants/Appellees.

No. 104,646

For Official
Publication

APPEAL FROM THE DISTRICT COURT OF TULSA COUNTY,
THE HONORABLE GORDON D. MCALLISTER, DISTRICT JUDGE

¶0 The Cities of Jenks and Bixby formed the Arkansas River Bridge Association (ARBA), a public trust, and entered into an agreement that granted the right to Infrastructure Ventures, Inc (IVI) to construct, maintain, and operate a toll bridge over the Arkansas River between Jenks and Tulsa. The South Tulsa Citizens Coalition, L.L.C. and Tom Snider (collectively, Coalition) sought a declaratory judgment that Jenks and ARBA were without authority to grant IVI the right to build a toll bridge outside of the corporate limits of Jenks and Bixby, and an injunction against construction of the bridge. Jenks, ARBA, and IVI moved for summary judgment. The trial court granted the motion, and the Coalition appealed. We retain the cause, reverse and remand the order of the trial court, and find that neither Jenks nor ARBA may construct, maintain, and operate the proposed toll bridge.

DISTRICT COURT ORDER REVERSED AND REMANDED.

George Gibbs
Christopher Wolek
Kevin S. Hoskins
Tulsa, Oklahoma

For Plaintiffs/Appellants.

Stephen Oakley
Jenks, Oklahoma

John M. Hickey
Tulsa, Oklahoma

For Defendants/Appellees.