



City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: EN-1112-8

File ID: EN-1112-8

Type: Encroachment

Status: Consent Item

Version: 1

Reference: Item No. 17

In Control: City Council

Department: Legal Department

Cost:

File Created: 02/13/2012

File Name: Encroachment 4700 12th Avenue SE

Final Action:

Title: CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1112-8 FOR LOT 21, BLOCK 2, COBBLESTONE WEST ADDITION, SECTION II. (4700 12TH AVENUE S.E.)

ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1112-8; and, if approved, direct the filing with the Cleveland County Clerk.

ACTION TAKEN: _____

Notes:

Agenda Date: 02/28/2012

Agenda Number: 17

Attachments: Clerk Memo for 12th Encroachment, Letter of request - Lam, Exhibits 12th Encroachment, Location map 12th Encroachment, Consent, Utilities Memo, Public Works Memo, Letters from Utilities

Project Manager: Leah Messner, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	02/28/2012					

Text of Legislative File EN-1112-8

Body

BACKGROUND: An encroachment request has been filed in the office of the City Clerk by Mr. Gary L. Lam requesting a Consent to Encroach upon a City of Norman utility easement for a pool and deck.

DISCUSSION: The application for the consent to encroach concerns the encroachment upon

a City of Norman utility easement for a pool and deck. The pool and deck encroachment is six feet into the utility easement at the west side of the property.

Staff has reviewed the application and the “hold harmless” clause. Therefore, from a legal perspective it protects the City’s concerns with respect to damage to the property owner’s property should the City or other authorized entity be required to perform work within its easement.

The benefit to having a consent to encroach on file is that it is evidence of the property owners’ understanding that, while the City is allowing them to encroach upon the easement, the City is not liable and will not be responsible for damage to the property owners’ property in the event such maintenance has to be performed within the easement.

STAFF RECOMMENDATION: Based upon the above and foregoing, the City Attorney’s office is forwarding the above Consent to Encroach for Council consideration.