



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: EN-1415-3

File ID: EN-1415-3

Type: Encroachment

Status: Consent Item

Version: 1

Reference: Item No. 13

In Control: City Council

Department: City Clerk Department

Cost:

File Created: 12/10/2014

File Name: Consent to Encroach 3801 Tayport Street

Final Action:

Title: CONSIDERATION OF CONSENT TO ENCROACHMENT EN-1415-3 FOR LOT 17, BLOCK 1, CASCADE ESTATES ADDITION, SECTION 1. (3801 TAYPORT STREET)
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Notes: ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1415-3; and, if approved, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Agenda Date: 12/23/2014

Agenda Number: 13

Attachments: Text File Encroachment, Consent form, Memo from Clerk, Encroachment Request, Planning Response, Response from Utilities Dept, Response from Public works, Responses 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:
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Text of Legislative File EN-1415-3

Body

BACKGROUND: An encroachment request has been filed in the office of the City Clerk by Nick Merkley requesting Consent to Encroach into a 10' utility easement which contains an 8" sewer main at the above-described property.

DISCUSSION: The application for the Consent to Encroach concerns the encroachment upon a City of Norman 10' utility easement of a playhouse at 3801 Tayport Street. The playhouse is on skids and can be moved easily should work in the easement be necessary.

Staff has reviewed the application and the "hold harmless" clauses. 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 the 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 maintenance has to be performed within the easement.

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

