



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: GID-1415-67**

**File ID:** GID-1415-67

**Type:** Settlement

**Status:** Consent Item

**Version:** 1

**Reference:** Item No. 22

**In Control:** City Council

**Department:** Legal Department

**Cost:** \$37,000.00

**File Created:** 11/18/2014

**File Name:** Dunn v. City

**Final Action:**

**Title:** CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT IN THE AMOUNT OF \$47,000 IN RUSSELL H. DUNN, CO-TRUSTEE OF LAZELLE L. DUNN SNELL REVOCABLE TRUST VS. THE CITY OF NORMAN, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2012-1097(S).

**Notes:** ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and, if approved, authorize the City Attorney's Office to effectuate the settlement in the amount of \$47,000.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 12/09/2014

**Agenda Number:** 22

**Attachments:** Text File Dunn Settlement.pdf

**Project Manager:** Rick Knighton, Assistant City Attorney

**Entered by:** denise.johnson@normanok.gov

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	12/09/2014					

### Text of Legislative File GID-1415-67

Body

**BACKGROUND:** This case was brought by the owner of the 2141 Allenhurst in Norman, Oklahoma for damage alleged to have been caused by movement, shift and expansion of Allenhurst Street and Amhurst Avenue. Co-Trustee Russell H. Dunn has tentatively agreed to settle the case for \$47,000.

**DISCUSSION:** Because this matter involves pending litigation, the merits were discussed during executive sessions on March 4, 2014, October 14, 2014, and December 2, 2014. Based on Council's feedback during the executive sessions, the item is now being brought forward for formal Council consideration.

**RECOMMENDATION:** It is believed the proposed settlement is fair, reasonable and in the best interest of the City. It is recommended the settlement of this matter be approved by City Council and that City Attorney's office move forward to finalize the settlement including reducing the settlement amount to Judgment in accordance with 51 O.S. §159, and 62 O.S. §362. The Judgment will then be placed on the property tax rolls for collection over the next three years. This procedure will minimize the impact of the settlement on the

general fund. If you have questions or need additional information, please let me know.