

ORDINANCE NO. O-1314-37

ITEM NO. 10

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**STAFF REPORT**

**GENERAL INFORMATION**

**APPLICANT**

Ben L. Graves  
(Stacy S. Ramdas Attorney)

**REQUESTED ACTION**

Closure of 12<sup>th</sup> Avenue S.E. statutory rights-of-way running north and south found on the east side of Section five (5), Township Eight (8) North, Range Two (2) West more particularly in the Southeast Quarter and found on the west side of Section Four (4), Township Eight (8) North, Range Two (2) West more particularly in the Southwest Quarter

**BACKGROUND:** Statutory rights-of-way were established in Oklahoma with section line as a grid system. Within Cleveland County a total of sixty-six feet (66') was assigned for section line with thirty-three feet (33') on each side of the Section. There are a few occasions that section line roads were never constructed. That is the case in this instance. The attorney for the owner wants to clear up the issue before rezoning and platting takes place in the near future.

**DISCUSSION:** All of the franchised utilities were notified to assess the impact on their facilities if the rights-of-way were closed. Staff has received an objection however the applicant should be able to work with the utility companies to provide easements for existing utilities or work with them to relocate during the platting process. There are no City owned utilities located within the proposed closed rights-of-way. City staff is not opposed to the closure of the statutory rights-of-way as long as the utility companies are satisfied before any vacation of the statutory rights-of-way commences.

**RECOMMENDATION:** Staff recommends approval of the request to close the statutory rights-of-way as requested subject to satisfying the utility companies that currently might have utilities within the rights-of-way.

**ACTION NEEDED:** Recommend approval or disapproval of the request to close the specific rights-of-way as described in Ordinance No. O-1314-37 to City Council.

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