



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: EN-1314-5**

**File ID:** EN-1314-5      **Type:** Encroachment      **Status:** Consent Item

**Version:** 1      **Reference:** Item No. 15      **In Control:** City Council

**Department:** City Clerk Department      **Cost:**      **File Created:** 03/17/2014

**File Name:** Consent to Encroachment for 300 Greens Parkway      **Final Action:**

**Title:** CONSENT TO ENCROACHMENT NO. EN-1314-5: FOR LOT 15, BLOCK 2, HIGHLAND VILLAGE ADDITION, SECTION 4, NORMAN, CLEVELAND COUNTY, OKLAHOMA (A/K/A 300 GREENS PARKWAY)

**Notes:** ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1314-5; and, if approved, direct the filing thereof with the Cleveland County Clerk.

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

**Agenda Date:** 03/25/2014

**Agenda Number:** 15

**Attachments:** Clerk Memo and Application.pdf, Consent 1314-5, Planning Consent, Utility Consent, Public Works Consent

**Project Manager:** Jeff Bryant, 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:

### Text of Legislative File EN-1314-5

Body

**BACKGROUND:** An encroachment request has been filed in the office of the City Clerk by Craig Wood, property owner, requesting a Consent to Encroach into a utility easement at the above-described property.

**DISCUSSION:** The application for the Consent to Encroach concerns the encroachment of a portion of an existing driveway upon a fifteen foot (15') City of Norman utility easement at the above address.

Staff has reviewed the application and the "hold harmless" clause. 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 easements.

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 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.