



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: EN-1516-3**

**File ID:** EN-1516-3

**Type:** Encroachment

**Status:** Consent Item

**Version:** 1

**Reference:** Item 12

**In Control:** City Council

**Department:** Legal Department

**Cost:**

**File Created:** 10/29/2015

**File Name:** Consent to Encroachment for 1810 Marymount Road

**Final Action:**

**Title:** CONSIDERATION OF CONSENT TO ENCROACHMENT EN-1516-3 FOR LOT 2, BLOCK 5, HALLBROOKE ADDITION, SECTION 6, NORMAN, CLEVELAND COUNTY, OKLAHOMA. (1810 MARYMOUNT ROAD)

**Notes:** ACTION NEEDED: Motion to approve or reject Consent to Encroachment EN-1516-3; and, if approved, direct the filing thereof with the Cleveland County Clerk.

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

**Agenda Date:** 11/10/2015

**Agenda Number:** 12

**Attachments:** Consent, Encroachment Request, Site Plan, Clerk Memo, Planning Memo, Utilities Memo, Public Works Memo, OG&E Letter, ONG Letter, OEC Letter, Cox Letter, AT&T Letter

**Project Manager:** Leah Messner, Assistant City Attorney

**Entered by:** jayme.rowe@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-1516-3

Body

**BACKGROUND:** An encroachment request has been filed in the office of the City Clerk by James Geddes, requesting a Consent to Encroachment into various utility and drainage easements at the above-described property.

**DISCUSSION:** The application for the Consent to Encroachment concerns the encroachment upon a City of Norman twenty foot (20') utility easement of a sidewalk and landscaping wall at 1810 Marymount Road. The City maintains an eight inch (8") sewer main within the utility easement.

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 owner's 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 Encroachment for Council consideration.