



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: E-1819-15**

**File ID:** E-1819-15

**Type:** Easement

**Status:** Consent Item

**Version:** 2

**Reference:** Item 16

**In Control:** City Council

**Department:** Public Works  
Department

**Cost:**

**File Created:** 06/17/2019

**File Name:** Driveway Easement for the Legacy Trail Project

**Final Action:**

**Title:** TEMPORARY EASEMENT E-1819-15: A TEMPORARY CONSTRUCTION EASEMENT DONATED BY NORMAN HOUSING AUTHORITY FOR THE LEGACY TRAIL MULTIMODAL PATH EXTENSION ALONG 24TH AVENUE NW AND 36TH AVENUE N.W.

**Notes:** ACTION NEEDED: Motion to accept or reject Temporary Easement E-1819-15; and, if accepted, direct the filing thereof with the City Clerk.

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

**Agenda Date:** 06/25/2019

**Agenda Number:** 16

**Attachments:** Attachment No. 1 - Location Map - 24th Avenue NW & 36th Avenue NW Path, Attachment No. 2 - ROW Summary, Attachment No. 3 - Easements - Location Map, E-1819-15 - Easement with Exhibits

**Project Manager:** Angelo Lombardo, Traffic Engineer

**Entered by:** michelle.rudder@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 E-1819-15

Body

#### **BACKGROUND:**

The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill allocates approximately \$21 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. New sidewalks along federal functionally classified roads are eligible for 80% federal funding.

The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill also allocates Federal funds for the implementation of eligible transportation enhancement

projects in the state of Oklahoma.

Growing concerns about air quality, open space, and traffic congestion led Congress to create several programs through legislation in the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA). These programs broaden the federal focus on Transportation from building highways to funding projects tied to smarter planning requirements that help ensure communities are more livable. At the center of new focus about transportation, growth, and quality of life is the Transportation Enhancement Program.

With the passage of the Transportation Equity Act for the 21st Century (TEA-21), and its successors, the Safe, Efficient, Flexible, Effective Transportation Equity Act: a Legacy for the User (SAFETEA-LU) and the current 2012 - Moving Ahead for Progress in the 21st Century (MAP-21), Congress continues to reaffirm its commitment to the original concepts established under ISTEA. Like its predecessors, the new legislation continues to provide a catalyst for stimulating activities that go beyond traditional transportation projects.

Transportation Enhancements (TE) activities offer communities funding opportunities to help expand transportation choices, such as safe bicycle and pedestrian facilities, scenic routes, beautification, and other investments that increase recreation opportunity and access. Communities may also use TE funds to contribute toward the revitalization of local and regional economies by restoring historic buildings, renovating streetscapes, or providing transportation museums and visitors centers.

Federal funds available under the Enhancement Program may be used for a maximum of eighty percent (80%) of the eligible project costs, capped at \$600,000 per project. Successful applicants must agree to provide a minimum of twenty percent (20%) of the total project costs. Federal and State Agencies, along with Tribal, County, and Local Governments, are eligible and can apply for the funds.

On September 28, 2010, City Council adopted Resolution R-1011-36 supporting the use of federal surface transportation enhancement program funds for the extension of the Legacy Trail along 24th Avenue NW and 36th Avenue NW. A formal application was prepared by staff and submitted to the Oklahoma Department Transportation (ODOT) on September 29, 2010 for consideration.

The project consists of four gaps of ten-foot wide paved path for pedestrians and bicyclists that will ultimately connect the Downtown area and University of Oklahoma Main Campus with the Ruby Grant Park in northwest Norman. Attachment No. 1 provides a map showing the location of the project.

On September 9, 2014, ODOT informed the City of Norman that the Legacy Trail Extension along 24th Avenue NW and 36th Avenue NW project was among the statewide projects selected for inclusion in the State Transportation Enhancement Program plan.

On October 13, 2015, City Council approved contract K-1516-22 with Cabbusiness Engineering for design of the Legacy Trail Extension project.

Construction of the new multimodal path is anticipated to begin in the fall of 2019 and be completed by the end of the calendar year. The new path will be fully accessible to users with disabilities.

## **DISCUSSION:**

For this federal-aid project, STP-114D(300) EH, J/P No. 288811(04), the City must secure fifteen parcels of permanent right-of-way, four temporary construction easements and eight temporary driveway easements for the placement of the new multimodal path and modification of existing

driveways. Staff requested donations prior to making any offers of fair market value. Nine of the easements have been donated by five different property owners. Attachment No. 2 provides the details of each easement and Attachment No. 3 depicts their location. Easement No. E-1819-15 is a temporary driveway easement that has been donated by the Housing Authority of Norman. See Attachment Nos. 4-5.

**RECOMMENDATION:**

Staff recommends acceptance of Easement No. E-1819-15 (and Easement Nos. E-1819-1, E-1819-13, E-1819-14, E-1819-16, E-1819-18, E-1819-19, E-1819-82 and E-1819-83) by City Council. It is further recommended that staff be authorized to file the easements as necessary.