



office memorandum

Date: August 17, 2020
To: Brenda Hall, City Clerk
From: Nathan Madenwald, P.E., Capital Projects Engineer *ml 8/17/20*
Subject: Consent to Encroach 2021-4
(2018 Morning Dew Trail – Block 1, Lot 9, The Trails Addition, Section 3)

An existing platted utility easements (10 feet in width) lies along the original south property line of the subject property and an additional easement (10 feet in width) was dedicated abutting the original south property line. Subsequent to the original plat, the property owner acquired additional property from the golf course property to the south. Additionally, the property owner has dedicated an additional 20 feet of easement (10-foot sewer easement and 10-foot utility easement) south of the existing two, 10-foot utility easements. The property owner proposes to install a new in-ground swimming pool along with other associated improvements.

The existing 8-inch PVC sanitary sewer line located in the rear of the property was found to be outside of the original easements but is located within the new sewer easements. The depth of the line is shallow at a depth of 6 feet and was found to be in good condition. This line will be a minimum of 5 feet from the proposed pool and no services are in the vicinity of the pool which should still allow for maintenance of this line. The existing water line is located out in the right-of-way of Morning Dew Trail.

The Utilities Authority objects to all encroachments on utility easements. However, if the applicant agrees to the following requirements with consent document filed of record on the property for the duration that the private improvements and the encroachment are in place, NUA staff will not oppose a recommendation for approval:

1. The property owner will be responsible for the cost to repair any damages to the City's utilities caused by any excavation, piercing or other construction activities conducted by the property owner or his agents.
2. The property owner will be responsible for the cost the City incurs to remove any swimming pool, fence, curb, landscaping, and/or any other structure if needed to maintain or repair NUA facilities.
3. The property owner will be responsible for the cost to repair or replace any swimming pool, fence, curb, landscaping, or any other structure after such repairs.
4. The property owner will waive and release any claims against the City for any damages to the residence and related improvements caused by failure or repair and maintenance of the City's utilities within the easement area.


Please advise if questions arise.

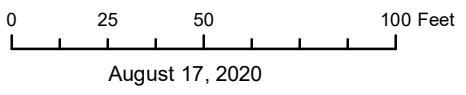
Attachments: Map of Existing Water and Sanitary Sewer Lines
The Trails Addition, Section 3 Plat
The Trails Addition, Section 3 Sewer Plans – Sheet 2
The Trails Addition, Section 3 Paving, Drainage & Water Plans – Sheet 3

cc: Ken Danner
Ken Komiske
Chris Mattingly
Utilities Folder
Kathryn Walker
Beth Muckala
Sarah Encinias



Consent to Encroachment - 2021-4 - 2018 Morning Dew Trail


 Map Produced by the City of Norman Geographic Information System.
 The City of Norman assumes no responsibility for errors or omissions in the information presented.



- WMains
- SManholes
- S SLiftStations
- SForceMains
- SGravityMains

August 17, 2020

OWNERS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

WE, THE UNDERSIGNED, D. W. DEVELOPMENT CO., DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF AND THE ONLY PERSON OR PERSONS, CORPORATION OR CORPORATIONS HAVING ANY RIGHT, TITLE, OR INTEREST IN THE LAND SHOWN ON THE ANNEXED PLAT OF THE TRAILS ADDITION, SECTION 3 A SUBDIVISION OF A PART OF THE SW 1/4, SECTION 1, T-8-N, R-3-W, AND A PART OF NW 1/4 OF SECTION 12, T-8-N, R-3-W, OF THE I. M. TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, AND HAVE CAUSED THE SAID PREMISES TO BE SURVEYED AND PLATTED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AS SHOWN ON SAID ANNEXED PLAT; WHICH SAID ANNEXED PLAT REPRESENTS A CORRECT SURVEY OF ALL PROPERTY INCLUDED THEREIN AND IS HEREBY ADOPTED AS THE PLAT OF LAND UNDER THE NAME OF THE TRAILS ADDITION, SECTION 3.

D. W. DEVELOPMENT CO., DOES HEREBY DEDICATE ALL STREETS AND EASEMENTS SHOWN ON ANNEXED PLAT TO THE PUBLIC FOR PUBLIC HIGHWAYS, STREETS AND EASEMENTS, FOR THEMSELVES, THEIR SUCCESSORS AND ASSIGNS FOREVER AND HAVE CAUSED THE SAME TO BE RELEASED FROM ALL RIGHTS, EASEMENTS AND ENCUMBRANCES EXCEPT AS SHOWN IN THE BONDED ABSTRACTERS CERTIFICATE.

IN WITNESS WHEREOF THE UNDERSIGNED HAVE CAUSED THIS INSTRUMENT TO BE EXECUTED THIS 12th DAY OF December, 1980

D. W. DEVELOPMENT CO.

Mary Kaye Wasseur, Secretary; Don W. Wells, President

STATE OF OKLAHOMA SS: COUNTY OF CLEVELAND

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE ON THIS 12th DAY OF December, 1980 PERSONALLY APPEARED, DON W. WELLS, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF THE MAKER TO THE WITHIN AND FOREGOING INSTRUMENT AS PRESIDENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN. MY COMMISSION EXPIRES: 6-17-84

Stephen Cotner, Notary Public

Scale 1"=100'

THE TRAILS ADDITION SECTION 3 BEING A PART OF THE SW 1/4, SEC. 1, T8N, R3W & A PART OF THE NW 1/4, SEC. 12, T8N, R3W, 1M. NORMAN, CLEVELAND COUNTY, OKLAHOMA

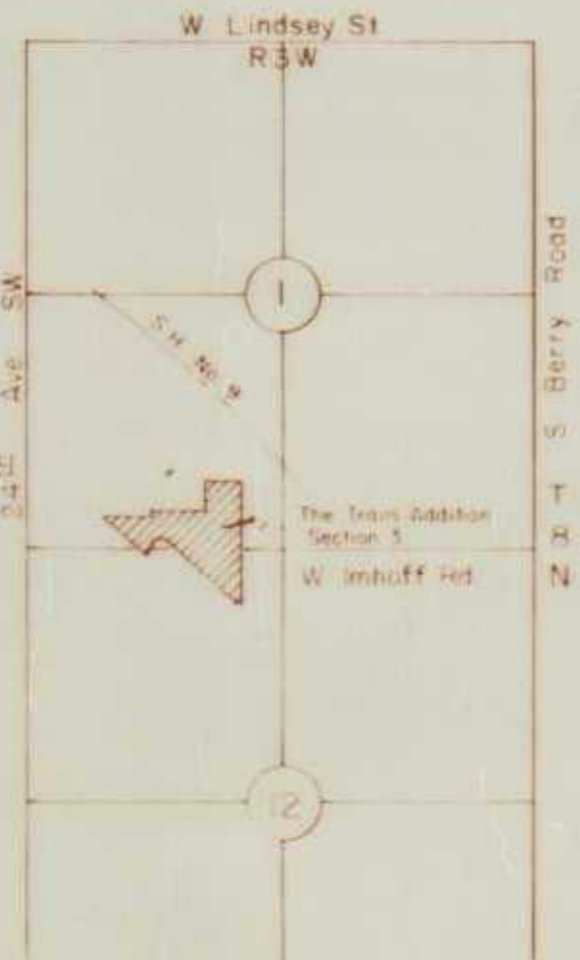
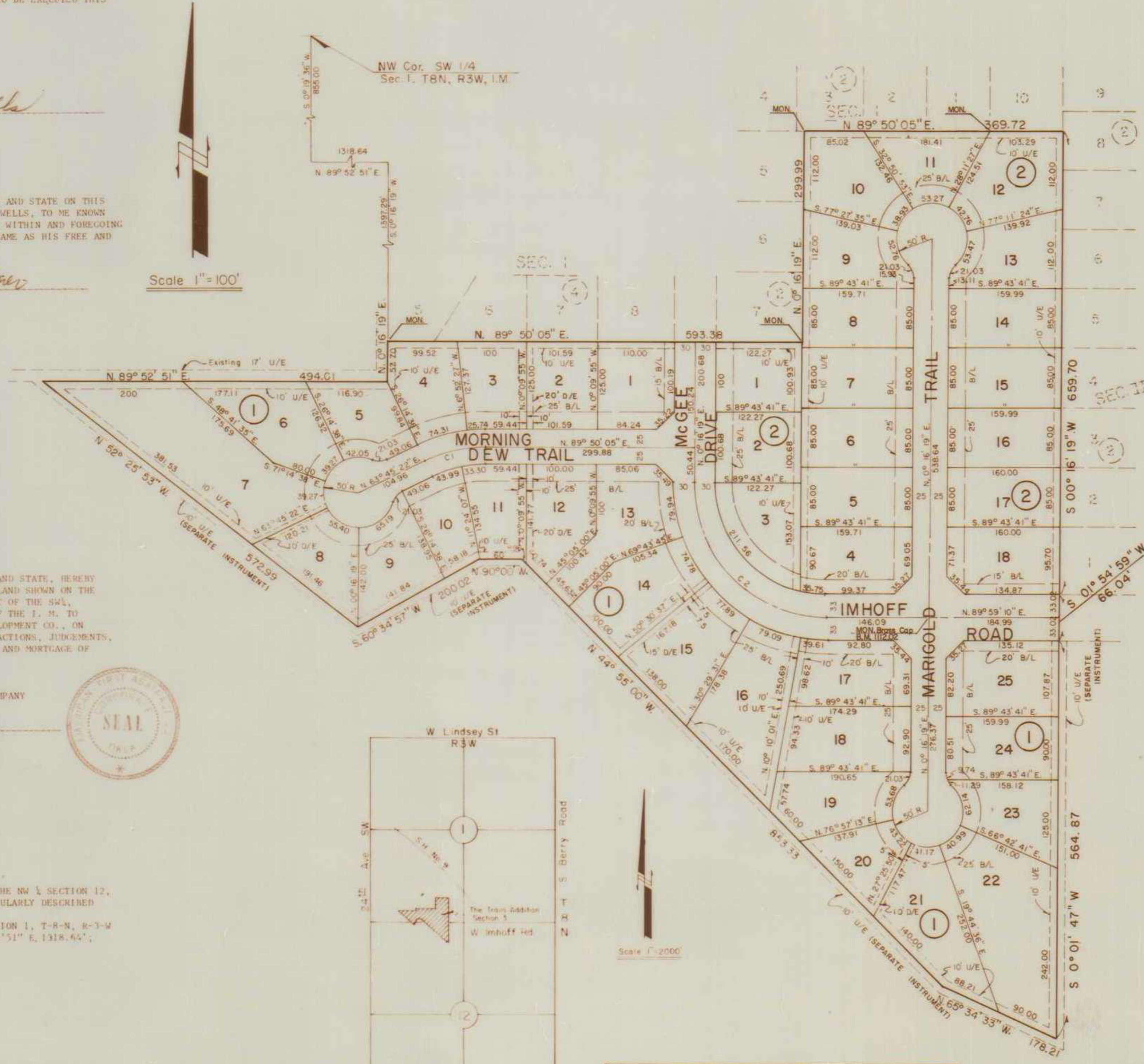


Table with 6 columns: No, Δ, D, T, L, R. Contains curve data for two curves.

FILED FOR RECORD 12/16/80 2:05 PM

CERTIFICATE OF PLANNING COMMISSION APPROVAL

I, DAVID R. MORGAN, CHAIRMAN OF THE PLANNING COMMISSION OF THE CITY OF NORMAN, OKLAHOMA, HEREBY CERTIFY THAT THE SAID PLANNING COMMISSION APPROVED THE FINAL PLAT OF THE TRAILS ADDITION, SECTION 3, TO NORMAN, OKLAHOMA, THIS 8th DAY OF January, 1980.

PLANNING COMMISSION signature: David R. Morgan

COUNTY TREASURER'S CERTIFICATE

I, MARGARET SMITH, HEREBY CERTIFY THAT I AM THE DULY ELECTED, QUALIFIED AND ACTING COUNTY TREASURER OF CLEVELAND COUNTY, STATE OF OKLAHOMA, THAT THE TAX RECORD OF SAID COUNTY SHOW ALL TAXES PAID FOR THE YEAR 1980 AND ALL PRIOR YEARS ON THE LAND SHOWN ON THE ANNEXED PLAT OF THE TRAILS ADDITION SECTION 3, CLEVELAND COUNTY, OKLAHOMA, AND THAT THE REQUIRED STATUTORY SECURITY HAS BEEN DEPOSITED IN THE OFFICE OF THE COUNTY TREASURER, GUARANTEEING PAYMENT OF THE CURRENT YEARS TAXES.

IN WITNESS WHEREOF SAID COUNTY TREASURER HAS CAUSED THIS INSTRUMENT TO BE EXECUTED AT NORMAN, OKLAHOMA, THIS 15th DAY OF April, 1980.

Margaret Smith by Betty Carson, Deputy County Treasurer

ACCEPTANCE OF DEDICATIONS BY CITY COUNCIL

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, THAT THE DEDICATIONS SHOWN ON THE ANNEXED PLAT OF THE TRAILS ADDITION, SECTION 3, TO NORMAN, OKLAHOMA, ARE HEREBY ACCEPTED.

SIGNED BY THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, THIS 31st DAY OF MARCH, 1981

MARY HATLEY - CITY CLERK

W. Morgan, Mayor

CERTIFICATE OF CITY CLERK

I, MARY HATLEY, CITY CLERK OF THE CITY OF NORMAN, OKLAHOMA, HEREBY CERTIFY THAT I HAVE EXAMINED THE RECORDS OF SAID CITY AND FIND THAT ALL DEFERRED PAYMENTS ON UNMATURED INSTALLMENTS UPON SPECIAL ASSESSMENTS HAVE BEEN PAID IN FULL AND THAT THERE IS NO SPECIAL ASSESSMENT PROCEDURE NOW PENDING AGAINST THE LAND ON THE ANNEXED PLAT OF THE TRAILS ADDITION, SECTION 3, TO THE CITY OF NORMAN, OKLAHOMA.

SIGNED BY THE CITY CLERK ON THIS 4th DAY OF MAY, 1982

Mary Hatley - City Clerk

SURVEYOR'S CERTIFICATE

I, DEARL B. STOUT, A REGISTERED LAND SURVEYOR, IN AND FOR THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT A CAREFUL SURVEY WAS MADE UNDER MY SUPERVISION OF THE TRAILS ADDITION, SECTION 3, BEING A PART OF THE SW 1/4 OF SECTION 1, T-8-N, R-3-W, AND A PART OF NW 1/4 SECTION 12, T-8-N, R-3-W, OF I. M., NORMAN, CLEVELAND COUNTY, OKLAHOMA, AS SHOWN ON ATTACHED PLAT. BOUNDARY MONUMENTS SHOWN THEREON HAVE BEEN CORRECTLY AND ACCURATELY PLACED AND EXIST IN THE POSITIONS AS SHOWN.

DEARL B. STOUT, L. S. # 240

STATE OF OKLAHOMA S.S. COUNTY OF CLEVELAND

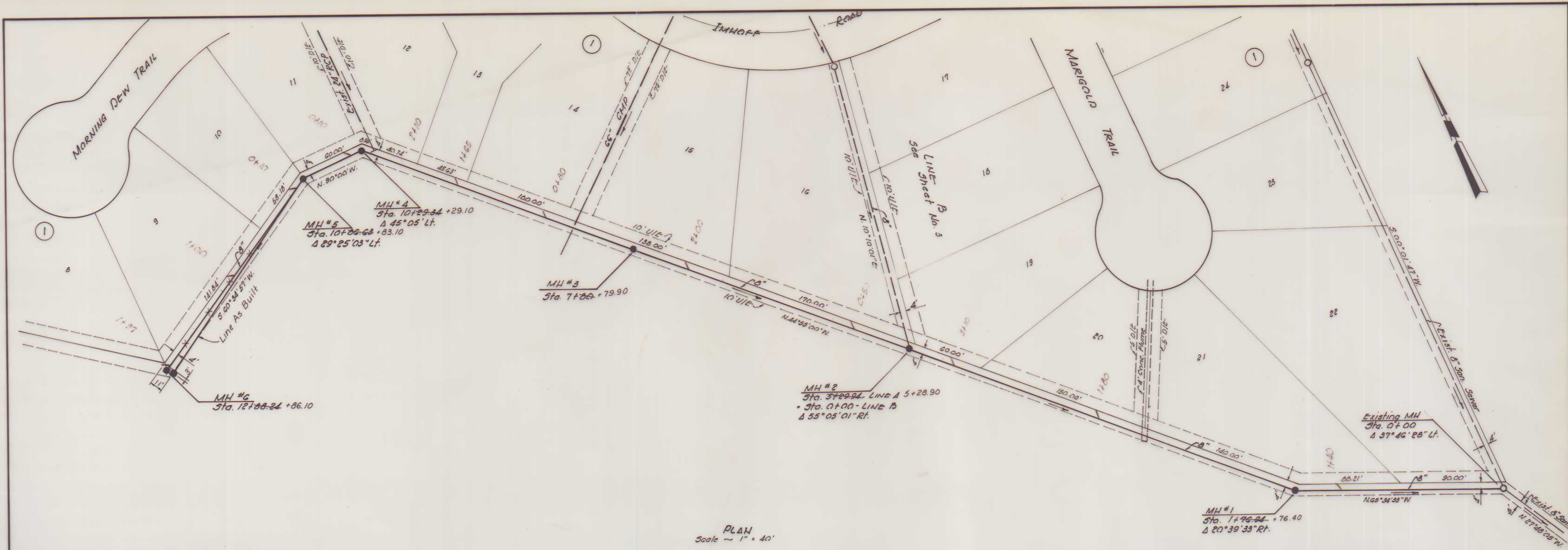
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE ON THIS 17th DAY OF December, 1980, PERSONALLY APPEARED DEARL B. STOUT, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE WITHIN AND FOREGOING AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN. MY COMMISSION EXPIRES: 4-30-83

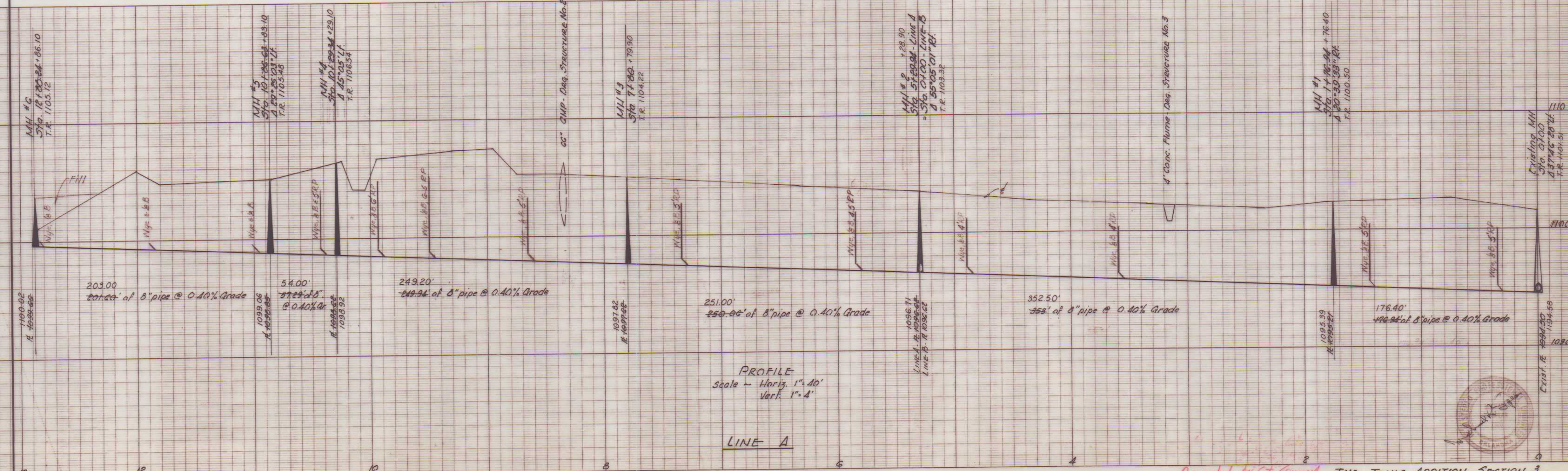
Louis P. Miller, Notary Public

SETTLE & SPEAR ENGINEERS, INC. 1010 NW 45th STREET OKLAHOMA CITY, OKLAHOMA

FINAL PLAT THE TRAILS ADDITION SECTION 3



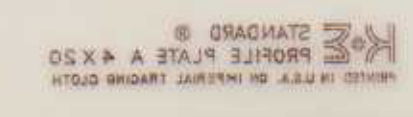
B.M. Man. No. 2, The Trails Addition
Elev. 1121.32

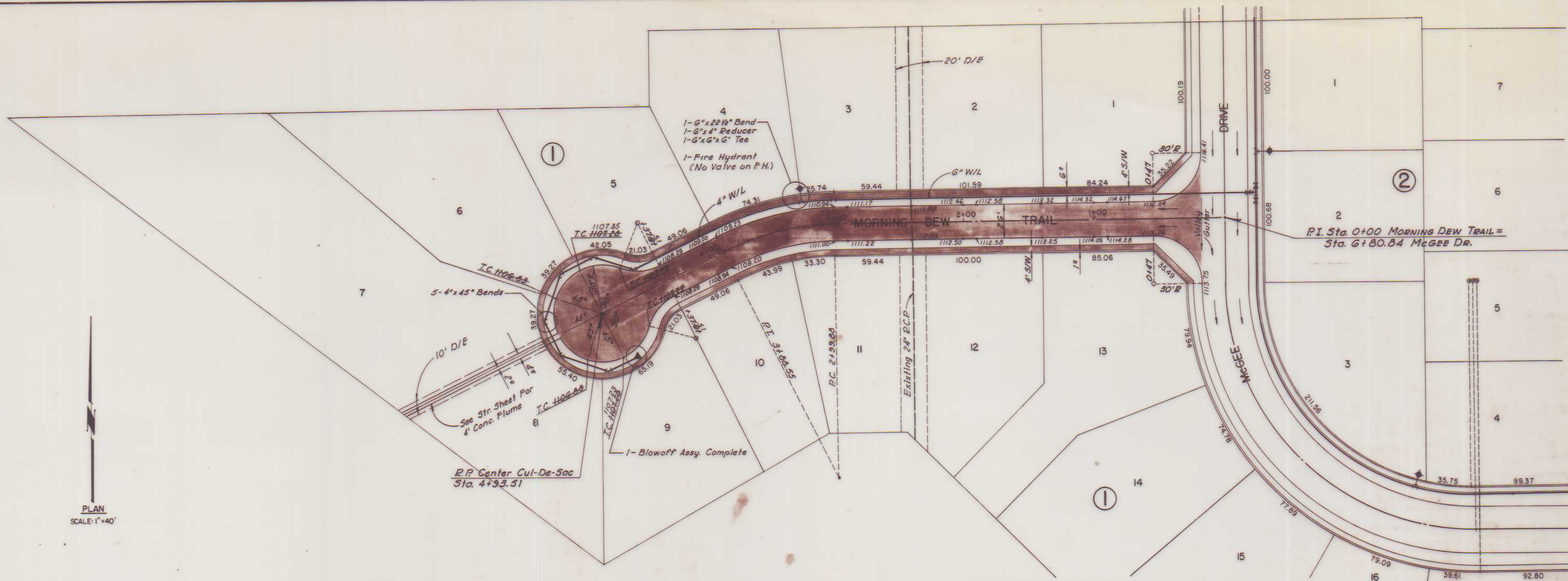


SETTLE & SPEAR ENGINEERS, INC. ~ OKLAHOMA CITY, OKLAHOMA ~ DECEMBER, 1980

Accepted by City Council THE TRAILS ADDITION, SECTION 3
MAY 4, 1982 SANITARY SEWERS
SHEET No. 2

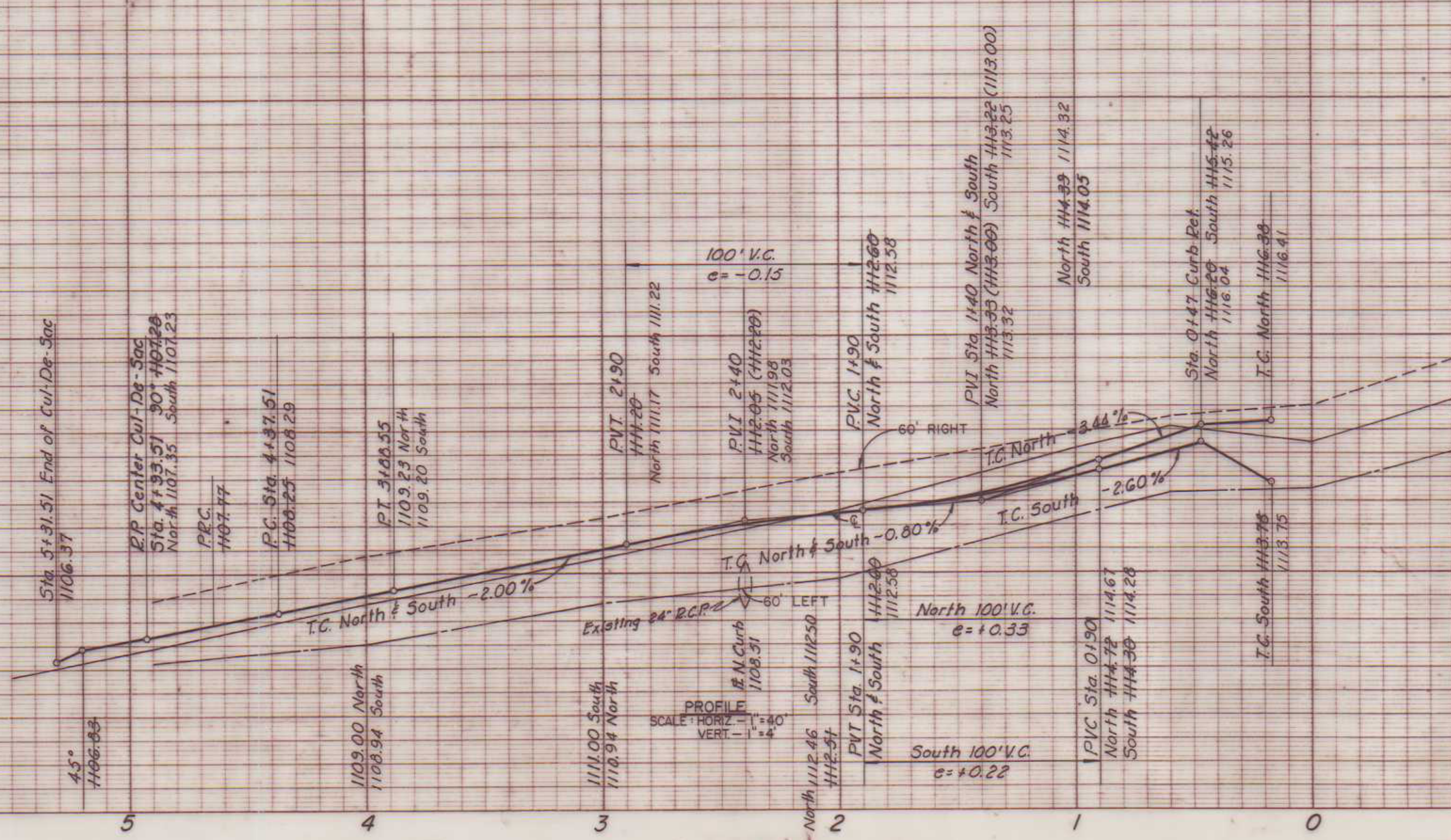
AS BUILT APRIL 2, 1982





PLAN
SCALE: 1" = 40'

B.M. - P.K. Nail & Cap. at E. IMHOFF RD.
S.H. No. 9 Elev. 1134.64



As BUILT APRIL 2, 1982

THE TRAILS ADDITION SEC. 3
NORMAN, OKLAHOMA
PAVING & WATER PLANS

SETTLE & SPEAR ENGINEERS, INC.
1010 N.W. 45th Street
Oklahoma City, Oklahoma

DATE: 12-18-80
DRAWN BY: E.G.
ENGINEER: *W. R. Spear*

SCALE: Hor 1" = 40'
Vert. 1" = 40'

SHEET NO.
3

Accepted by City Council
May 4, 1982