



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: E-1314-41

File ID: E-1314-41

Type: Easement

Status: Consent Item

Version: 1

Reference: Item No. 12

In Control: City Council

Department: Public Works
Department

Cost: \$280,068.00

File Created: 05/27/2014

File Name: Permanent roadway easement from Nancy S.
Munzler for the West Lindsey Street Widening
Project

Final Action:

Title: CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1314-41, A PERMANENT ROADWAY EASEMENT FROM NANCY S. MUENZLER IN THE AMOUNT OF \$280,068, FOR THE WEST LINDSEY STREET WIDENING PROJECT FROM 24TH AVENUE N.W. TO BERRY ROAD.

Notes: ACTION NEEDED: Motion to accept or reject Easement No. E-1314-41; and, if accepted, direct the filing thereof with the Cleveland County Clerk and payment in the amount of \$280,068 to Nancy Munzler.

ACTION TAKEN: _____

Agenda Date: 06/10/2014

Agenda Number: 12

Attachments: Text File E-1314-41.pdf, Location Map, Easement
Table, E-1314-41.pdf

Project Manager: John Clink, Capital Projects Engineer

Entered by: mallory.scott@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 E-1314-41

Body

BACKGROUND: On November 22, 2011, the Norman City Council approved Programming Resolution No. R-1112-63 requesting federal funds for the West Lindsey Street Improvements. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to provide 80% of the cost, up to \$9.7 million, and administer the construction contract. In order to receive the federal funding, the City of Norman is required to enter into an agreement with ODOT to complete the design, acquire all necessary rights-of-way and relocate utilities and encroachments at 100% the City's cost and pay the remaining 20% of construction costs.

On August 28, 2012, the citizens of Norman voted in favor of a Bond Election to finance the local share of eight transportation/storm water improvement projects. One of the eight projects was the West Lindsey Street

Improvement Project.

The roadway portion of the project includes transportation and aesthetic improvements to West Lindsey Street. The West Lindsey Street corridor between Interstate No. 35 (I-35) and Berry Road is the most congested corridor in the Oklahoma City metropolitan area. This section of West Lindsey Street has a traffic accident rate three (3) times the national average for similar urban arterial streets.

Proposed improvements for the roadway project include:

1. Widening West Lindsey Street from 3 lanes to 4 lanes with additional lanes at intersections
2. New bridge over Imhoff Creek
3. Continuous sidewalks on both sides of the street
4. Access management to adjacent properties
5. Multi-modal improvements including on-street bicycle lanes
6. Aesthetic enhancements including decorative pavement, landscaping and roadway lighting
7. Underground utilities
8. Improved accessibility for disabled individuals
9. Storm water improvements

The storm water portion of the project addresses the flooding problems along West Lindsey Street, most notably at the Lindsey Street and McGee Drive intersection. The design will include conveying storm water from a 3.4 square mile watershed to an underground pipeline which will discharge directly to the Canadian River.

DISCUSSION: The City must acquire nine (9) easements along the I-35 Corridor between Lindsey Street and State Highway No. 9 for the drainage portion of the West Lindsey Street Improvement Project. Currently, staff has secured six (6) easements. Negotiations are currently under way for the remaining three (3) easements. One of the easements required for the project, Parcel No. 4, is owned by the Oklahoma Department of Transportation (ODOT) and the remaining two (2) easements are in private ownership. Staff requested donations prior to making any offers of fair market value. The attached table provides the details of each easement. Also a map is attached providing the location of each easement necessary for the project.

Staff and ODOT have agreed on the alignment of the drainage box along the I-35 corridor. The original corridor was within the ODOT right-of-way. However, due to recent changes in policy at ODOT, utilities are allowed to cross ODOT right-of-way but not parallel to the roadway inside ODOT right-of-way. The proposed alignment keeps the drainage box outside of ODOT right-of-way as much as possible and minimizes the negative impacts to local businesses. A portion of the box north of State Highway No. 9 must be in the ODOT right-of-way to avoid local businesses. To remove this portion of the drainage box that runs parallel to I-35 from the ODOT right-of-way, ODOT has agreed to exchange easements with the City. The City has been successful in obtaining a permanent roadway and drainage easement on Parcel No. 3, see the attached figure, at the south end of the project. Council approved Resolution No. R-1314-126 declaring the necessity for obtaining this parcel and authorizing Staff to file an action for eminent domain for this parcel on April 22, 2014. Staff has continued negotiations with the property owner after beginning condemnation proceedings and this settlement reflects a reasonable settlement. The western portion of this easement is not necessary for the drainage box but is beneficial to ODOT. In exchange for this area, ODOT has agreed to grant the City Parcel No. 4 for the purpose of constructing and maintaining the drainage box. The instruments completing this exchange will come before Council later this summer. (See Attachment A - Easement Table for Lindsey Street Improvements)

Funds are available in West Lindsey Street Improvements: 24th-Berry, Land (account 050-9552-431.60-01; project BP0189).

RECOMMENDATION: Staff recommends Easement No. E-1314-41 be accepted, payment be authorized, and the filing thereof be directed.