



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: E-2021-50

File ID: E-2021-50 **Type:** Easement **Status:** Consent Item

Version: 1 **Reference:** Item 17 **In Control:** City Council

Department: Public Works **Cost:** \$1,000.00 **File Created:** 11/20/2020
Department

File Name: Creston Way & Schulze Drive Easement Lena Smith **Final Action:**

Title: EASEMENT E-2021-50: CONSIDERATION OF ACCEPTANCE OF A PERMANENT DRAINAGE EASEMENT FROM LENA M. SMITH IN THE AMOUNT OF \$1,000 FOR THE CRESTON WAY AND SCHULZE DRIVE DRAINAGE IMPROVEMENT PROJECT.

Notes: ACTION NEEDED: Motion to accept or reject Easement E-2021-50; and, if accepted, direct the filing thereof with the Cleveland County Clerk and payment in the amount of \$1,000 to Lena M. Smith.

ACTION TAKEN: _____

Agenda Date: 12/08/2020

Agenda Number:

Attachments: E-2021-50, Project Location Map, Easement Table,
Project Right of Way Plan Sheet

Project Manager: Carrie Evenson, Stormwater Program Manager

Entered by: amy.shepard@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-2021-50

Body

BACKGROUND: Over the past several years, residents along Creston Way and Schulze Drive in the Hanley and Morningside Additions have experienced drainage problems related to a drainage flume located between 904 and 906 Creston Way in the central part of Norman in the Bishop Creek watershed (Ward 4). The current drainage system consists of a concrete flume connected to a stormwater pipe which is then connected to a second concrete flume. The system is believed to be undersized and contributing to flooding at homes on Creston Way. The City's goal is to make improvements to the undersized stormwater pipe system in this area to eliminate flooding problems at homes located at 904 and 906 Creston Way. In order to

construct the project and conduct maintenance activities of this nature, a permanent drainage easement is necessary on the property located at 906 Creston Way, Lot 5, Block 4, Hanley Addition (see attached location map).

If Council accepts the easement, construction of these improvements is anticipated to begin in early 2021, weather permitting.

DISCUSSION: Easement acquisition necessary for the Creston Way and Schulze Drive Drainage Improvement Project consists of twelve (12) easements on seven (7) parcels. Meshek and Associates, LLC, oversaw and prepared appraisal waiver forms and offer letters to each property owner affected. The offer letters were sent on June 18, 2020, and contained information identifying the project as a public drainage project and encouraging each property owner to consider donation of the property. To date, six (6) property owners have agreed to offers made from the City, totaling \$45,725.00.

One property owner rejected the City's offer for two (2) easements on one parcel. On March 10, 2020, City Council approved Resolution No. R-1920-103, which authorized and directed the City Attorney to institute eminent domain proceedings for condemnation. The Report of Commissioners was filed in the District Court of Cleveland County on October 14, 2020. Total cost of just compensation and Commissioners' fees for these two (2) easements was \$9,100.00.

The City Attorney's Office has reviewed the easement as to form. Funds are available in the Creston Way and Schulze Drive Drainage Improvement Project, Land (Account No. 50599968-46001, Project No. DR0063).

RECOMMENDATION: Based upon the above information, staff recommends that the easement E-2021-50 be accepted and that, where appropriate, payment be authorized and the filing be directed thereof.