



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: R-1415-36

File ID: R-1415-36

Type: Resolution

Status: Consent Item

Version: 1

Reference: Item No. 30

In Control: City Council

Department: Legal Department

Cost:

File Created: 10/01/2014

File Name: Resolution declaring easement granted to City by
CCS not needed

Final Action:

Title: RESOLUTION NO. R-1415-36: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, RELINQUISHING ANY INTEREST IN AN EASEMENT GRANTED TO THE CITY OF NORMAN BY COMMUNITY CHRISTIAN SCHOOL, INC., FOR THE LOCATION OF A SANITARY SEWER LINE.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1415-36.

ACTION TAKEN: _____

Agenda Date: 10/14/2014

Agenda Number: 30

Attachments: CCS Request.pdf, R-1415-36.pdf

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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 R-1415-36

Body

BACKGROUND: In 2009, Community Christian School, Inc. granted an easement in favor of the City of Norman for a public sanitary sewer line. The easement allowed Community Christian School to demand release of the easement if construction of the public sanitary sewer line did not occur within five years of execution of the easement. The sanitary sewer line has not been built. The easement is located across the current Community Christian School football field.

DISCUSSION: Pursuant to the terms of the easement, Community Christian School filed a request for release of the easement with the City Clerk's Office. At that time, it was discovered that the easement was never accepted by City Council. It was, however, filed with the Cleveland County Court Clerk's Office. For that reason, Community Christian has requested that City Council adopt Resolution R-1415-36 that disclaims any interest in the subject easement. Adoption of Resolution R-1415-36 is not the standard process for the release of an easement by the City of Norman, but, since the City Council never accepted this easement, Staff and representatives for Community Christian School chose to pursue this course.

City Staff has reviewed the easement and determined the easement has expired because the sanitary sewer line was not constructed within the five year time frame. This easement, or another easement in close

proximity, is necessary to construct the proposed eastern leg of the sewer solution for northwest Norman. Specifically, City Council approved the preliminary plat for the Uplands Addition with the understanding that this proposed line would serve that Addition. However, because the sanitary sewer line has not been constructed within the five year term to do so as described in the easement, a new easement will need to be renegotiated and a City approved sewer line constructed by the developer for the Uplands Addition prior to Council's acceptance of any Final Plat within the uplands Addition. For these reasons, and at the request of Community Christian School, the City Attorney's Office drafted the attached Resolution for Council consideration and action.

RECOMMENDATION: If City Council wishes to relinquish any interest in the subject easement, then Staff recommends adoption of Resolution No. R-1415-36.