



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: E-1314-13**

**File ID:** E-1314-13

**Type:** Easement

**Status:** Consent Item

**Version:** 1

**Reference:** Item No. 30

**In Control:** City Council

**Department:** Utilities Department

**Cost:**

**File Created:** 12/05/2013

**File Name:** Temporary Easement from James Hardwick

**Final Action:**

<b>Title:</b> EASEMENT E-1314-13: CONSIDERATION OF A TEMPORARY CONSTRUCTION EASEMENT DONATED BY JAMES HARDWICK FOR THE SOUTHEAST BISHOP INTERCEPTOR PROJECT.
--

**Notes:** ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1314-13; and, if accepted, direct the filing thereof with the City Clerk.

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

**Agenda Date:** 12/10/2013

**Agenda Number:** 30

**Attachments:** SEBishopInterceptor Map.pdf, E-1314-13.pdf

**Project Manager:** Charlie Thomas, Capital Projects Engineer

**Entered by:** Ellen.Usry@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-1314-13

Body

**BACKGROUND:** The SE Bishop Interceptor project (WW0267) is located in southeast Norman (map attached). On March 23, 2004, Norman Utilities Authority (NUA) approved Contract K-0304-147 with Chiang, Patel & Yerby, Inc. (CP&Y) for design of the project. Phase 1 was completed in 2004; Phase 2, Section 1 in January 2007; Phase 2, Sections 2A and 2B on July 15, 2013. The final phase of the SE Bishop Interceptor project is known as Phase 2, Section 2C and consists of approximately 5,000 LF of 24-inch sewer located south of Highway 9 between the former Saxon Publishing facility and Classen Boulevard.

Obligated interceptor needs, serving existing customers and contractual obligations as of August 2001, are funded by the Sewer Sales Tax (SST). Enlargement of interceptors to serve full build out (FBO) needs under the Norman 2025 Land Use and Transportation Plan (2025 Plan) is funded by the Sewer Excise Tax (SET).

Permanent easements allow installation and maintenance of the public sewer line. For large diameter sewers such as this project, additional temporary construction easements parallel to the permanent easements are required only during the time construction is in progress. Several easements, both permanent and temporary, will be needed to complete the final project phase. Temporary easements are not filed with the County, but expire upon completion of construction.

**DISCUSSION:** Staff desires to acquire two (2) permanent sanitary sewer easements and two (2) temporary construction easements along two parcels where the former Perfect Swing recreational center is located; both parcels are owned by James Hardwick.

Negotiations to acquire the needed easements have been ongoing for many months. Staff initially requested donation of the easements. The owner requested payment of the fair market value. The initial appraisal of the Hardwick property was based on the current zoning of the property as both commercial and residential. However, the 2025 Plan shows the entire property as commercial, which the owner and staff agree is its "highest and best use". The appraised value for the parcels as commercial property was \$8.00 per square foot (SF). Easement acquisitions are normally paid at 70% of fair market value which would yield a cost of \$5.60 per SF or a total of \$154,728 for the permanent easement area totaling 27,630 SF.

Negotiations have concluded and we arrived at a single lump sum price for all easements. Staff has negotiated a reduced cost of \$120,000 for the entire permanent easement area or about \$4.34 per SF. The temporary constructions easements will be donated.

Funding for replacement of the existing sewer interceptor is pro-rated based on the cross-sectional area of the obligated pipe diameter versus the cross-sectional area for the FBO pipe diameter. The funding for Section 2C of the SE Bishop Interceptor is 25% SST and 75% SET based on an obligated diameter of 12 inches and a FBO diameter of 24 inches. Thus, the total easement cost of \$120,000 is pro-rated \$90,000 to the SET and \$30,000 to the SST. The following describes the funding for the easements being acquired:

Permanent sewer easement E-1314-11 consists of 14,695 SF or 53% of the total of \$120,000 for a value of \$63,600. Funding is prorated between the SST (\$15,900) and the SET (\$47,700) as noted above.

Temporary construction easements E-1314-12 and E1314-13 are donated.

Permanent sewer easement E-1314-14 consists of 12,935 SF or 47% of the total of \$120,000 for a value of \$56,400. Funding is prorated between the SST (\$14,100) and the SET (\$42,300) as noted above.

The Fiscal Year Ending 2014 (FYE14) budget for WW0267 includes an unencumbered balance of \$92,034 for SST, Land/ROW (323-9048-432.60-01) and \$88,742 for SET, Land/ROW (322-9048-432.60-01). As noted above, the total easement cost of \$120,000 is pro-rated \$90,000 to the SET and \$30,000 to the SST. To fully fund the easement acquisitions, it is necessary to transfer \$1,258 from SET, Construction (322-9048-432.61-01) to SET, Land/ROW (322-9048-432.60-01).

**RECOMMENDATION:** Staff recommends acceptance temporary construction easement E-1314-13.