



City of Norman, OK

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

Master

File Number: EN-1314-3

File ID: EN-1314-3

Type: Encroachment

Status: Consent Item

Version: 1

Reference: Item No. 17

In Control: City Council

Department: Legal Department

Cost:

File Created: 09/03/2013

File Name: Encroachment 601 Manor Hill Road

Final Action:

Title: CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1314-3 FOR LOT 9A, BLOCK 1, BROOKHAVEN NO. 37 ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA (601 MANOR HILL DRIVE)

Notes: ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1314-3; and, if approved, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Agenda Date: 09/10/2013

Agenda Number: 17

Attachments: Clerk Memo Manor Hill, Request from Rick Byrd, Encroachment Manor Hill, Utilities Dept Memo Manor Hill, Memo from Planning Manor Hill, Memo Public Works Manor Hill, Letters from Utilities Manor Hill

Project Manager: Leah Messner, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File EN-1314-3

Body

BACKGROUND: An encroachment request has been filed in the office of the City Clerk by Rick Byrd of Byrd Building on behalf of Neeraj and Manju Khanna, property owners, requesting a Consent to Encroach into a utility easement and a drainage easement at the above-described property.

DISCUSSION: The application for the Consent to Encroach concerns the encroachment upon the City of Norman easements for a portion of driveway in a 25-foot Utility/Drainage Easement at the above address. The driveway will be inspected and not allowed to block any possible storm water overflow.

Staff has reviewed the application and the "hold harmless" clause. From a legal perspective, it protects the City's concerns with respect to damage to the property owner's property should the City or other authorized entity be required to perform work within its easements.

The benefit to having a consent to encroach on file is that it is evidence of the property owners' understanding that, while the City is allowing them to encroach upon the easement, the City is not liable and will not be

responsible for damage to the property owners' property in the event maintenance has to be performed within the easement.

RECOMMENDATION: Based upon the above and foregoing, the City Attorney's office is forwarding the above Consent to Encroach for Council consideration.