



City of Norman, OK

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

Text File

File Number: EN- 1213-9

Agenda Date: 3/26/2013

Version: 1

Status: Consent Item

In Control: City Council

File Type: Encroachment

Title

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1213-9 FOR LOT 23, BLOCK 4, NRH MEDICAL PARK WEST ADDITION, SECTION 4, NORMAN, CLEVELAND COUNTY, OKLAHOMA. (3500 HEALTHPLEX PARKWAY)

Body

BACKGROUND: An encroachment request has been filed in the office of the City Clerk by Precision Builders and Villano Salim, LLC, requesting a Consent to Encroach into a 25' utility easement running east-west along the northern frontage which is coincident with the building line setback and drainage easement. The easement contains an 8" sewer main. The encroachment is for a building monument sign constructed 4.6 feet from the existing sewer main.

DISCUSSION: The application for a Consent to Encroach concerns the encroachment upon a City of Norman easement for a building monument sign on the northeast corner of Norman Regional Healthplex's property.

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 easements, the City is not liable and will not be responsible for damage to the property owners' property in the event such maintenance has to be performed within the easement.

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