



City of Norman, OK

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

Text File

File Number: EN-1213-3

Agenda Date: 11/27/2012

Version: 2

Status: Consent Item

In Control:

File Type: Encroachment

Title

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 1213-3 FOR AN ENTRY WALL INTO PARK PLACE ADDITION TO ENCROACH INTO A CITY OF NORMAN UTILITY EASEMENT LOCATED AT LOT 1, BLOCK 1, PARK PLACE ADDITION, SECTION 7, CLEVELAND COUNTY, CITY OF NORMAN, OKLAHOMA (1431 SPOONWOOD DRIVE)

Body

BACKGROUND: An encroachment request has been filed in the office of the City Clerk by Zia Muneer, counsel for Colony Homes, L.L.C, requesting a Consent to Encroach into A City of Norman easement (50' Pipeline Easement) at the above-described property.

DISCUSSION: The application for a Consent to Encroach concerns the encroachment upon City of Norman utility easement for an entry wall at the entrance of Park Place Addition.

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.