



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: RE-1415-1**

**File ID:** RE-1415-1

**Type:** Release of Easement

**Status:** Consent Item

**Version:** 1

**Reference:** Item 9

**In Control:** City Council

**Department:** Public Works  
Department

**Cost:**

**File Created:** 01/29/2015

**File Name:** Release of Easement at 415 South Lahoma Avenue.

**Final Action:**

**Title:** RELEASE OF EASEMENT E-1415-1: CONSIDERATION OF RELEASE OF A PERMANENT DRAINAGE EASEMENT FILED OF RECORD ON JUNE 12, 1923, REQUESTED BY 1972 PROPERTIES, L.L.C., FOR 415 SOUTH LAHOMA AVENUE, NORMAN, OKLAHOMA.

**Notes:** ACTION NEEDED: Motion to approve or reject Release of Easement RE-1415-1; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

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

**Agenda Date:** 02/10/2015

**Agenda Number:** 9

**Attachments:** RELEASE OF EASEMENT-415 S. Lahoma, Memo from Clerk Lahoma Release, Letter of Request 415 Lahoma, Memo from Utilities Lahoma Release.pdf

**Project Manager:** Ken Danner, Subdivision Development Manager

**Entered by:** mallory.scott@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 RE-1415-1

Body

**BACKGROUND:** The City of Norman accepted a deed of easement for drainage purposes on September 22, 1921. This separate instrument easement was filed of record June 12, 1923, as a part of a proposed storm water pipeline project. The property is located at 415 South Lahoma Avenue. The deed of easement was recorded in Book 60, Page 21, with the Cleveland County Clerk. The owner of the property is requesting the release of the easement based on the fact there is no storm water pipeline located within the easement. This item, if approved, will accomplish the release of easement.

**DISCUSSION:** The property owner's concern is if the drainage easement were allowed to remain, then its existence might impair the use of his property and/or create possible issues if there was any proposal to sell the property. Staff has researched the files and has determined a storm water pipeline is not located within the easement and there is no evidence that a storm water pipeline has ever been installed within the easement. With further research Lahoma Avenue street drainage conveys storm water to the west to Imhoff Creek. According to the easement, the intent was to drain Chautauqua Avenue to the west through residential lots to Lahoma Avenue. However, Chautauqua Avenue drains to the north to Symmes Street with an underground

storm water system that is installed within the Chautauqua Avenue right-of-way. With that connection Symmes Street conveys storm water with an underground system to the west and connects to Imhoff Creek. The easement is no longer needed by the City. The easement could create a cloud on the title of the platted lot and could create a problem for the sale of the property.

**RECOMMENDATION:** City Staff has investigated the request and has determined that a release of the easement is in order and recommends approval of the release of the easement.