



office memorandum

Date: August 28, 2013
To: Leah Messner, Assistant City Attorney
From: Ken Danner, Subdivision Development Manager *KD*
Subject: Consent to Encroach
Lot 18, Block 2, Smoking Oaks South Addition
2903 Raintree Circle

Public Works Department, Engineering Division does not object to the encroachment of a proposed decking over a variable width utility and drainage easement at the rear of the property and a 7.5' drainage easement located on the western side of the property. It is my understanding the applicant is installing decking that can be removed in sections which will allow for easier removal and access to the utilities. If utilities personnel performs maintenance on a sanitary sewer main and street and roadside maintenance personnel has to perform maintenance on an existing 24" corrugated galvanized metal storm sewer pipe located in the 7.5' drainage easement on the western side of the lot, there should be a hold harmless clause in the consent document that clearly states replacement of the decking will be at the total expense of the property owner.

Responses from the utility companies are attached. Staff was delayed in their response until issues were worked out between the owners and Oklahoma Electric Cooperative. It should be noted Cox Communication has had ample time to respond to the request of the applicant. The City and /or utility companies should be held harmless in the course of maintaining their utilities located within the utility easement.

If you have further questions, please feel free to contact me.

KD

Reviewed by: Scott Sturtz, City Engineer *SS*

Reviewed by: Shawn O'Leary, Director of Public Works *S*

cc: Brenda Hall, City Clerk
Ken Komiske, Director of Utilities
Greg Hall, Street Superintendent