



City of Norman, OK

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

Text File

File Number: EN-1213-7

Agenda Date: 2/26/2013

Version: 3

Status: Consent Item

In Control: City Council

File Type: Encroachment

Title

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 1213-7: FOR LOT 1, BLOCK 1, NORTH NORMAN BUSINESS CENTER ADDITION, CLEVELAND COUNTY, NORMAN, OKLAHOMA (6401 NORTH INTERSTATE DRIVE)

Body

BACKGROUND: An encroachment request has been filed in the office of the City Clerk by Industrial Signs & Neon Incorporated, on behalf of Affordable Construction, requesting a Consent to Encroach into a 55' cross access and utility easement containing a 6" water line at the above-described property.

DISCUSSION: The application for Consent to Encroach concerns the encroachment of a sign which would be located in a landscape island on the north side of the entrance at 6401 North Interstate Drive. The proposed encroachment would require a sign permit and inspections. There is a 25-foot setback which requires a variance that will be accomplished through approval by the Board of Adjustment.

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 this easement.

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 utility easement, the City is not liable and will not be responsible for damage to the property owners' property in the event any 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.