



# City of Norman, OK

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

## Text File

File Number: EN-1213-2

Agenda Date: 11/27/2012

Version: 1

Status: Consent Item

In Control:

File Type: Encroachment

Title

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 1213-2 FOR CONSTRUCTION OF A PORTION OF A LOADING DOCK INTO A CITY OF NORMAN UTILITY EASEMENT LOCATED IN LOT 5, BLOCK 6, NORTHRIDGE INDUSTRIAL PARK ADDITION, SECTION 3, CLEVELAND COUNTY, OKLAHOMA (3505 NORTH FLOOD AVENUE)

Body

**BACKGROUND:** An encroachment request has been filed in the office of the City Clerk by Rick Byrd of Precision Builders on behalf of SLSK, L.L.C requesting a Consent to Encroach into a City of Norman 10' utility easement at the above-described property.

**DISCUSSION:** The application for a Consent to Encroach concerns the encroachment upon City of Norman utility easement for a portion of loading dock to accommodate Absolute Data Shredding, who leases the property from SLSK, LLC.

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.