



City of Norman, OK

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

Text File

File Number: EN-1213-8

Agenda Date: 3/26/2013

Version: 1

Status: Consent Item

In Control: City Council

File Type: Encroachment

Title

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1213-8 FOR LOT 3, BLOCK 3, BROOKHAVEN NO. 40 ADDITION, NORMAN, CLEVELAND COUNTY. (2101 BROOKHAVEN BOULEVARD)

Body

BACKGROUND: An encroachment request has been filed in the office of the City Clerk by M. Kaiser Aziz for Gemini Development Corporation requesting a Consent to Encroach into a 7.5' water line easement and 10' utility and drainage easement at the above-described property.

DISCUSSION: The application for a Consent to Encroach concerns the encroachment upon City of Norman easements for a 13' (thirteen foot) driveway at the above requested address.

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.