



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: E-2021-35**

<b>File ID:</b> E-2021-35	<b>Type:</b> Easement	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item 16	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b> \$19,715.00	<b>File Created:</b> 10/09/2020
<b>File Name:</b> Easements for 36th Ave NW Widening from Tecumseh Rd to Indian Hills Rd Bond Project		<b>Final Action:</b>

**Title:** EASEMENT E-2021-35: CONSIDERATION OF ACCEPTANCE OF A PERMANENT ROADWAY, UTILITY, AND DRAINAGE EASEMENT IN THE AMOUNT OF \$19,715 FROM NOEL DIXON SUDDATH AND EMMA JEAN SUDDATH FOR THE 36TH AVENUE N.W. BOND PROJECT FROM TECUMSEH ROAD TO INDIAN HILLS ROAD.

**Notes:** ACTION NEEDED: Motion to accept or reject Easement E-2021-35; and, if accepted, direct the filing thereof with the Cleveland County Clerk and payment in the amount of \$19,715 to Noel Dixon Suddath and Emma Jean Suddath.

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

**Agenda Date:** 10/27/2020

**Agenda Number:** 16

**Attachments:** E-2021-35, Easement Table, Easement Location Map, Project Location Map

**Project Manager:** Paul D'Andrea, Capital Projects Engineer

**Entered by:** brenda.gomez@normanok.gov

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

### Text of Legislative File E-2021-35

Body

**BACKGROUND:** On August 28, 2012, the citizens of Norman voted in favor of a Bond Issue to finance the local share of eight transportation/stormwater improvement projects. One of the eight 2012 bond projects is the 36th Avenue NW Widening Bond Project between Tecumseh Road and Indian Hills Road (please see the attached location map showing the project boundaries).

On November 22, 2011, the Norman City Council approved Programming Resolution

R-1112-64, requesting federal funds for the 36th Avenue NW Bond Project. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project including engineering design, acquisition of all necessary rights-of-way and relocation of utilities and encroachments at 100% the City's cost. In return, the Association of Central Oklahoma Governments (ACOG), through the Oklahoma Department of Transportation (ODOT), agrees to provide 80% of the construction cost, estimated at \$11,500,000, and administration of the construction with the matching share from the City of Norman.

On March 12, 2013, City Council approved engineering services Contract K-1213-170 with the engineering firm of CP&Y in the amount of \$703,878.50 to design 36th Avenue NW Bond project from Tecumseh Road to Indian Hills Road.

On June 26, 2018, City Council approved Resolution R-1819-12 declaring the 36th Avenue NW Project a recoupment project.

Proposed improvements for the 36th Avenue NW Bond Project include:

1. Widen two miles of roadway from two lanes to four lanes
2. New traffic signals at 36th Avenue NW and Franklin Road and 36th Avenue NW and Indian Hills Road
3. Interconnect signals between Tecumseh Road and Indian Hills Road
4. Dedicated left turn lanes at All Saints Catholic School
5. Fifth lane north of Indian Hills Road to Market Place
6. Storm water improvements
7. Continuous sidewalks along both sides of the roadway with the 10 foot wide legacy trail from Tecumseh Road to Franklin Road on the east side
8. Bicycling facilities as listed in the Norman Bike Plan

On February 26, 2019, City Council approved Authorization for Expenditure No. One to Contract K-1314-102 with Smith-Roberts Land Services, Inc., for the 36th Avenue N.W. Bond Project - Phase 1, in the amount of \$54,324 for right-of-way acquisition services.

On May 28, 2019, City Council approved Amendment No. One to Contract K-1213-170 for engineering design of the 36th Avenue NW Widening Bond Project from Tecumseh Road to Market Place, with CP&Y, Inc., in the amount of \$193,895.

On November 12, 2019, City Council approved Authorization for Expenditure No. Three, under Contract K-1314-102 with Smith-Roberts Land Services, Inc., for right-of-way acquisition services for Phase Two of the 36th Avenue NW Widening Bond Project, from Franklin Road to Market Place, in the amount of \$130,116.

On February 11, 2020, City Council accepted the last of the easements required for parcels one through eleven, completing the required right of way acquisition for Phase One of the 36th Avenue NW Widening Bond Project.

On August 25, 2020, City Council approved Authorization for Expenditure No. Four under

Contract K-1314-102 with Smith-Roberts Land Services, Inc., in the amount of \$20,180 for additional right-of-way acquisition services due to an increase in the number of parcels and appraisals included in Phase Two of the 36th Avenue NW Widening Bond Project.

**DISCUSSION:** Right-of-way acquisition necessary for Phase Two of the 36th Avenue NW Widening Bond Project, consists of twenty-five (25) separate easements on twenty (20) parcels. Smith-Roberts Land Services (SRLS) oversaw and reviewed the appraisal of each parcel, and assisted the City of Norman staff in the preparation of offer letters to each property owner affected, based on the appraised values and damages.

The offer letters were sent on August 24, 2020, and contained information identifying the project as a recoupment project and encouraged each property owner to consider donation of the property. The City staff and SRLS have begun to meet with the affected property owners individually, to answer questions and aid them in understanding the right of way acquisition process, as well as the affect it will have on their properties.

To date, the owners of 5 parcels, consisting of 6 separate easements, have agreed to offers made from the City, totaling \$76,655. The secured easements are for parcels 17, 18, 19, and 20. Staff will bring forward the easements for Parcel 30 at a later date. Funds are available in 36th Avenue NW Widening Bond Project, Land (Account 50595552-46001; Project BP0197).

**RECOMMENDATION:** Staff recommends the above described easements be accepted, and that payment be authorized, where appropriate, and the filing be directed thereof.