



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: E-1819-26

File ID: E-1819-26

Type: Easement

Status: Non-Consent Items

Version: 1

Reference: Item 17

In Control: City Council

Department: Legal Department

Cost:

File Created: 09/19/2018

File Name: Donation of Easement by Jeffrey Duane Marr
Revocable Living Trust

Final Action:

Title: EASEMENT E-1819-26: CONSIDERATION OF ACCEPTANCE OF A PERMANENT PUBLIC ROADWAY, DRAINAGE, AND UTILITY EASEMENT DONATED BY THE JEFFREY DUANE MARR REVOCABLE LIVING TRUST, THROUGH TRUSTEES JEFFREY DUANE MARR AND KATHRYN LYNEA MARR, CONSISTENT WITH SHORT FORM PLAT AND RELATING TO THE ROCK CREEK ROAD RECONSTRUCTION PROJECT FROM GRANDVIEW AVENUE TO 36TH AVENUE N.W.

Notes: ACTION NEEDED: Motion to accept or reject Easement E-1819-26; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Agenda Date: 09/25/2018

Agenda Number: 17

Attachments: E-1819-26, Location Map

Project Manager: Beth Muckala, Assistant City Attorney

Entered by: beth.muckala@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File E-1819-26

body

BACKGROUND: On March 13, 2008, the predecessor in interest to the Jeffrey Duane Marr Revocable Living Trust ("Marr Trust"), KLN Properties, L.L.C., submitted Short Form Plat No. SFP-0708-02 for Lot 1, Block 1, Marr Estates ("Marr Plat"). The Marr Plat referenced public dedication of certain easements and rights-of-way, including a sight triangle located at the corner of Rock Creek Road and Grandview Avenue, and a portion of the parcel along the northern boundary and abutting Rock Creek Road. Both public dedications were for the purposes of roadway and utility easements. Following acceptance of the Marr Plat by the Planning Commission, easements demonstrating these rights of way were not filed of record.

When the City of Norman sought to proceed in declaring a recoupment project relating to the Rock Creek Road

Reconstruction Project, this parcel was identified as one subject to recoupment due to a need to acquire easements at the corner of Rock Creek Road and Grandview Avenue and along the northern portion of the parcel abutting Rock Creek Road.

At the June 12, 2018 City Council meeting, the current owner, the Marr Trust, objected to the parcel's inclusion in the recoupment project on the basis that it was not subject to recoupment and that easements were already on file for the parcel. City Council postponed consideration of the Rock Creek Recoupment Project (R-1718-115), and City Staff and the property owner worked together to find a resolution to the owner's objections.

The combined efforts of the owner and City Staff were unable to locate or identify of record the necessary easements for the Rock Creek Road Reconstruction Project, or as referenced on the Marr Plat. As a result, the owner determined to donate the required easements, thus completing the platting process for SFP-0708-02 and removing the parcel from the Rock Creek Recoupment Project. The Rock Creek Recoupment Project approved by City Council without this parcel on September 11, 2018.

E-1819-26 is a conveyance of the sight triangle located at the corner of Rock Creek Road and Grandview Avenue.

DISCUSSION: E-1819-26, donated by the Marr Trust, is consistent with that easement referenced on the Marr Plat (SFP-0708-02). Further, the easement is necessarily acquired for the Rock Creek Road Reconstruction Project.

RECOMMENDATION: Staff recommends the above described donation of easement be accepted, and the filing be directed thereof.