

CITY OF NORMAN
POST OFFICE BOX 370
NORMAN, OKLAHOMA 73070

NOTICE OF TORT CLAIM

CLAIMANT: Jason Taylor DATE: 9.22.18

ADDRESS: 3120 Tisbury Rd CITY Norman

STATE: OK ZIP: 73071 PHONE: (H) N/A (W) 405.308.2406

DATE OF INCIDENT: December, 2017

LOCATION OF INCIDENT: Home - 3120 Tisbury Rd, Norman OK

STATEMENT OF CIRCUMSTANCES / REASONS YOU BELIEVE CITY IS LIABLE:

<See Attachment>

(use additional pages if necessary)

MONETARY STATEMENT: List of expenses claimed for payment:

<See Attachment> \$ _____ \$ _____

_____ \$ _____ \$ _____

_____ \$ _____ \$ _____

TOTAL AMOUNT CLAIMED: \$ 3,306.86

NAME AND ADDRESS OF INSURANCE COMPANY: State Farm - Norman

AGENT: Cindy Nashert

THIS FORM MUST BE SIGNED AND RETURNED WITH ALL REQUESTED INFORMATION IN ORDER TO BE PROCESSED.

I SWEAR AND/OR AFFIRM THE INFORMATION PROVIDED ABOVE IS TRUE AND CORRECT.

CLAIMANT'S SIGNATURE

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/24/18

**Jason & Anita Taylor
3120 Tisbury Rd.
Norman OK 73071**

September 22, 2018

**CITY OF NORMAN
POST OFFICE BOX 370
NORMAN, OKLAHOMA 73070**

City of Norman:

Attached you will find a Notice of Tort Claim form and supporting documents for a claim I have against the City of Norman for damages I have sustained in relation to a water leak at my home. I believe the leak was directly attributable to work performed by a contractor hired by the City of Norman on the Woodcrest Sewer Interceptor Replacement Project. This sewer line ran directly in front of my home and intercepted by water line in the bed of a creek in front of my home.

My original water meter was situated like most homes with it at the curb in front of the home. However, unlike most homes I have a creek that runs right in front of my home for storm water. In fact, I cross a bridge over this creek to arrive at my home. When my home was built in 2005, placement of the meter and running the water line under this creek was how the City of Norman permitted and allowed the main water line to be run. After the home was built, it is my understanding the City of Norman actually did some widening of this creek for the ongoing storm water issues in this part of the city. Then in 2016 was the project relating to replacing the sewer line which also runs under the creek bed. The portion of the line replaced in front of my home was done via the "exploding method" (contractor's description) where the new line was pulled through the old line exploding the old line as it went.

My water line runs right across the sewer line. It is my belief that when the sewer project was done the exploding sewer line put pressure on my adjacent soil and water line and that in December of 2017, the line broke under that pressure. The break was right in the creek. There really is no other plausible explanation. There has been no other work done near or around my water line outside of this sewer line work. The water line has been there for 12 years and experienced bitter cold without any issues. I do not believe it was coincidence that the water line broke following the sewer project, which finished late 2016.

The break was not discovered until March of 2018. My water bill started increasing in February of 2018 (which would have been a December of 2017 meter reading). By the time I got my March bill (January reading) of \$479.06 with more than 11X my normal usage, I knew I had a problem. As I have explained, the break was located in the creek crossing of my main line from the meter to my home. The plumber actually recommended to me moving the meter to get away from the creek and also significantly

reducing the cost of repairs. I chose that option and relocated my meter to the north side of my home where it does not have to cross the creek.


I have prepared a spreadsheet which spells out my expenses related to this leak and repairs. I had \$2,827.98 in repairs and had \$1,179.96 of extra water expense. The city of Norman allowed an offset of part of the extra water bill of \$701.08, but still leaving and extra \$478.88 of extra water expense. Total repairs and extra water expense is \$3,306.86. This is the amount of my claim against the City of Norman. None of this expense is reimbursable from my insurance or any other source other than the City of Norman. Nor, have I recovered any reimbursement expect the adjustment to my water bills, as I have outlined.

None of this expense would have been necessary but for this leak and repairs. I did all I could to mitigate the expenses including doing much of the work myself, including much of the digging, the repairs to the ruts in my yard, the placement of sod to cover the damaged yard, calling upon a friend who bored from the new meter to my yard to run the new water line (without charging me) and relocating the meter vs. damming the creek and backhoeing in a new line. If I would have hired all of this done, a costs approaching \$10k or more would have been likely.

City of Norman Engineer Charlie Thomas came out and assessed my situation. He expressed to me plausibility to my belief that this relates to the sewer line work. Mr. Thomas was very nice and professional. In fact, all that I have dealt with regarding this issue with the City of Norman, save those in the utility office, have been professional to deal with and competent. My expectation and belief that the City will do the right thing is high for reimbursement of the actual expenses incurred of \$3,306.86.

If I can provide any additional information or clarify anything, do not hesitate to contact me at cell 405.520.3367.

Thank you and I look forward to your prompt attention to this request.



Jason Taylor

Enclosures: Tort Claim form and supporting documentation

EXPENSES FROM BROKEN WATER LINE									
EXPENSE	\$	YEAR:	2017		2018		DIFFERENCE (YEAR OVER YEAR)		
Relocating water meter away from creek	\$250.00	Month	Consumption	Bill	Consumption	Bill	Consumption	Bill	
Plumbing Repairs	\$2,059.80	Jan	167	\$122.02	59	70.76	108.0	(\$51.26)	
Sprinkler Repairs	\$81.05	Feb	61	\$76.69	363	\$257.38	302.0	\$180.69	
Topsoil to repair ruts and damage to yard	\$217.13	March	58	\$75.46	689	\$479.06	631.0	\$403.60	\$1,179.96
Sod to repair yard	\$220.00	April	59	\$83.23	617	\$489.50	558.0	\$406.27	
Extra water expense after City's	\$478.88	May	118	\$107.42	421	\$296.82	303.0	\$189.40	
		June	157	\$124.10	119	\$107.83	38.0	(\$16.27)	
		July	182	\$137.18	175	\$133.54	7.0	(\$3.64)	
		<p>The City of Norman averaged my post-repair bills and came up with a \$701.08 credit towards my extra cost for water for February through May of \$1,179.96 (comparing year over year). As you likely know, the city will only adjust two months of high water use, but I actually had four.</p> <p>You can see my Jan bill (which was read on 11/28/17) was fine. Actually, it was down year over year. My Feb bill (read on 12/29) shows a jump in consumption, with the leak occurring near the end of the December of 2017. I actually paid the Feb bill without questioning it. Then the March bill (read on 1/30) came with what was an obvious problem with use of 689 over previous year's 58. This was when I realized I had a leak and set about to fix it. The plumbing leak was fixed on 3/22/18. The expenses I have incurred to repair the leak and extra water use are outlined on the left column and are supported by attached documents.</p> <p>In comparing year over year usage for this period, I had a \$1,179.96 increase in water from the time of the leak until repairs were completed and returned to normal with June's meter reading on 4/27. The City of Norman has credited me back \$701.08. That leaves extra expense related to water outstanding of \$478.88.</p>							
EXPENSE RELATED TO WATER LEAK	\$3,306.86	EXTRA WATER EXPENSE AFTER NORMAN'S ADJUSTMENT							\$478.88

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