



DATE: November 14, 2019

TO: Kathryn Walker, City Attorney
Ken Komiske, Director of Utilities
Ken Danner, Subdivision Manager
Rone Tromble, Administrative Technician IV
Jane Hudson, Director of Planning and Community Development

FROM: Brenda Hall, City Clerk

SUBJECT: Request to Close Public Easement

I am in receipt of a request to close a 66 foot utility easement along Boyd Street between 12th Avenue S.E. and Jami Drive.

In accordance with Resolution No. R-8182-66, I am forwarding the request; location map; radius map; and certified ownership list to your office and requesting that your office send notice to the furnished list of property owners and have the necessary ordinance prepared. If further action is needed from my office, please notify me.

BH:smr
attachments

office memorandum

DC FLOYD & ASSOCIATES, PLLC
ATTORNEYS-AT-LAW
118 E. Main St., Norman, Oklahoma 73069
(405) 364-6660
David@floydlawpc.com

Mrs. Brenda Hall
City Clerk, City of Norman
201 West Gray St.
Norman, Oklahoma 73069

November 14, 2019

Mrs Hall,

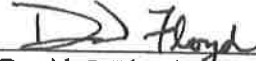
On behalf of Savannah Inc., an Oklahoma Limited Liability Company, and Mrs. Carol Raper Smith ("Petitioners"), we hereby respectfully request that the City of Norman, Oklahoma, by an Ordinance of the City Council, take action to close a portion of the 66 foot public right-of-way affecting the northern line of Petitioner's properties, as shown on Exhibit "A" attached hereto. In support of this request, Petitioners state and affirm the following:

- 1) Petitioners are the record owners of more than one half (1/2) of the total front footage of the property abutting the public right-of-way sought to be closed.
- 2) The 66 foot public right-of-way follows the path of Boyd Street as it existed prior to the relocation of Boyd Street to the north, where it presently intersects 12th Avenue. Presently, a portion of the 66 foot public right-of-way runs to the south of Boyd Street and is no longer usable, beneficial, required or desirable for the City of Norman or any franchise holders public utilities (save and except for existing utilities, if any).
- 3) In order to properly develop and utilize the vacant, unplatted lot south of Boyd Street by providing ingress and egress through Boyd Street, it is required that the portion of the 66 foot public right-of-way abutting Petitioner's property be closed so that an entryway to the unplatted lot to the south of the right of way may be constructed.
- 4) Petitioners have caused a bonded abstractor to issue a certificate listing the names and addresses of all persons who have any ownership interest in real property within a three hundred foot (300') radius of the right-of-way that is to be closed. Said Certificate is attached hereto as Exhibit "B".
- 5) Three copies of a map indicating the right-of-way sought to be closed are attached hereto as Exhibit "C".
- 6) The required filing fee of Four Hundred Dollars (\$400.00) is attached hereto.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 11/14/19

In respect of the foregoing the Petitioners, by and through counsel, respectfully request an Ordinance of the City of Norman, Oklahoma formally closing the above described right-of-way, reserving only those rights necessary to preserve the rights of franchise holders and public utilities with respect to facilities already installed within the subject right-of-way. Please feel free to contact me should you have any questions or require additional information.


Respectfully Submitted,





David C. Floyd, OBA 31842
DC Floyd & Associates, PLLC
118 E. Main St.,
Norman, Oklahoma, 73069
(405) 364-6660
David@floydlawpc.com
ATTORNEY FOR PETITIONERS

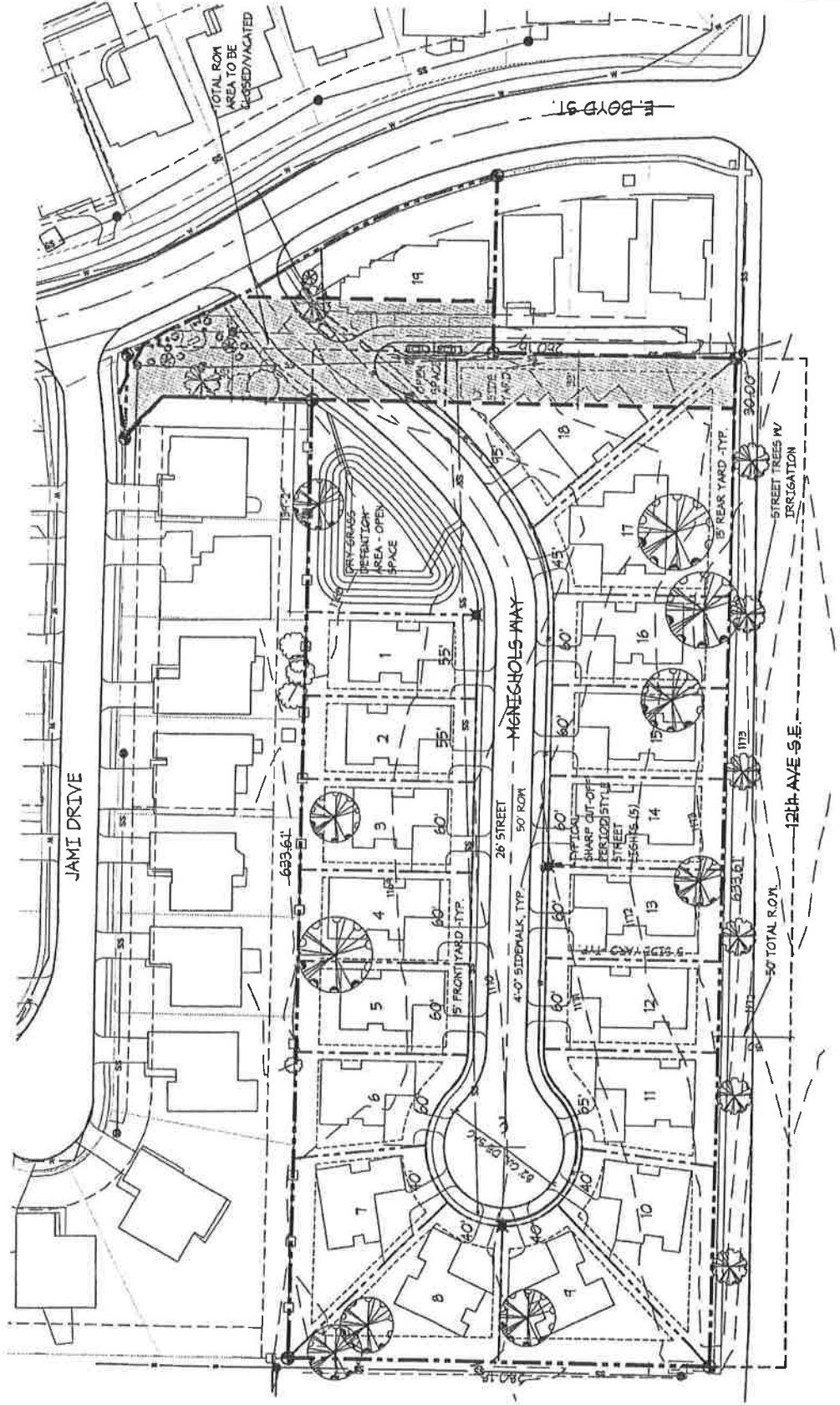
PETITION

We, the undersigned, as the record owners of more than one half (1/2) of the total front footage of the property abutting the public right-of-way sought to be closed, hereby respectfully petition the City Council of the City of Norman, Oklahoma, to close a portion of the 66 foot public right-of-way as described herein.

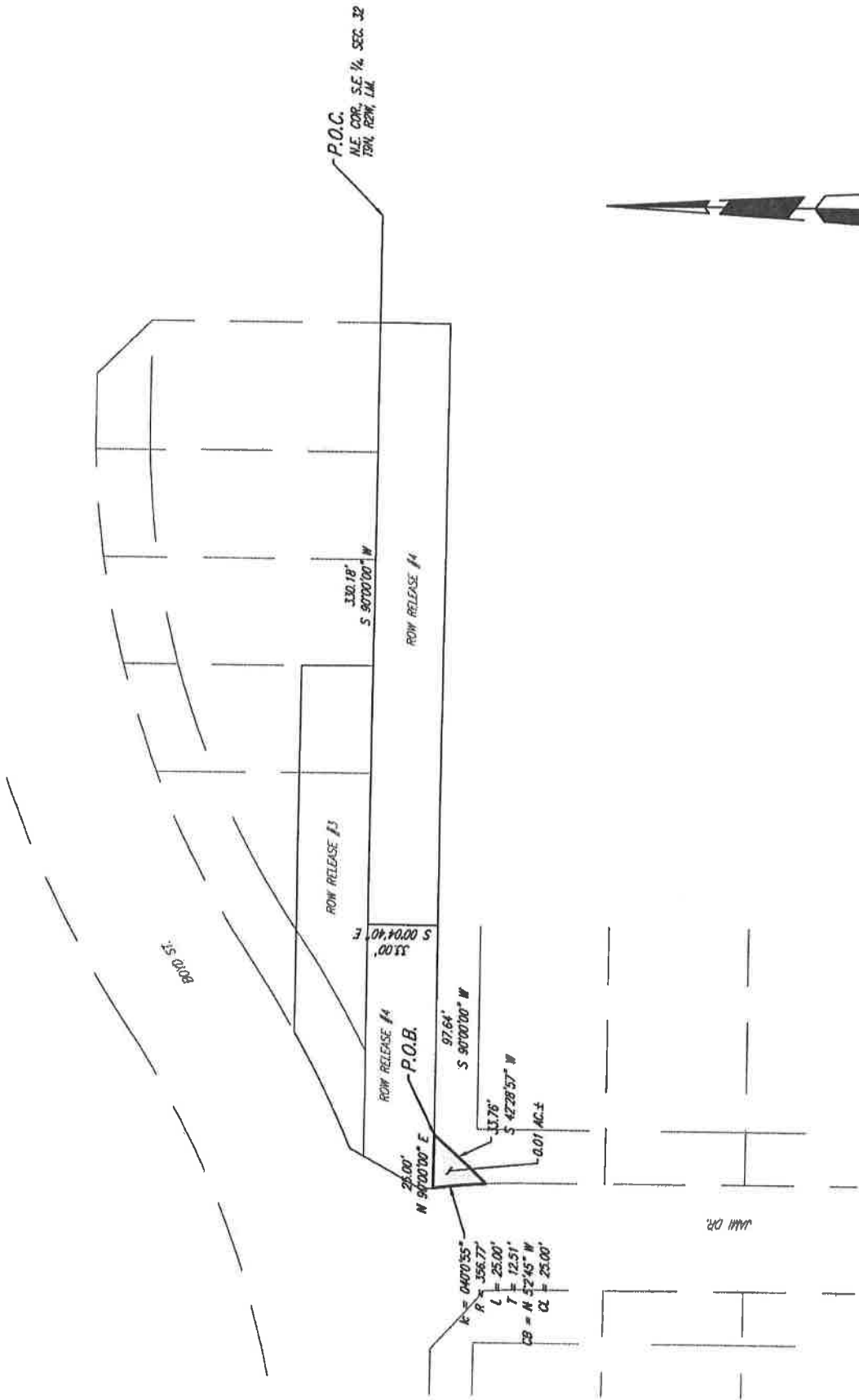

Richard McKinney, Jr. for Savannah, Inc.


Mrs. Carol S. Raper Smith

 <p>THE MCKINNEY PARTNERSHIP 3020 West Main Suite 300 Norman, Oklahoma 73072 405.363.1682 P 405.363.1687 F www.themckinney.com</p>	<p>Boyd Street Commons SE Boyd Street & 12th Avenue SE Norman, OK</p>	
	<p>Project</p>	<p>Issue Date 11.14.10</p>
<p>Project Number 10022317</p>	<p>Sheet Title DEVELOPMENT MAP</p>	<p>Sheet Number</p>



SITE DEVELOPMENT PLAN MAP
 1:30



NOT TO SCALE

EXHIBIT "A"
 LEGAL DESCRIPTION
 ROW RELEASE #1
 NORMAN, CLEVELAND COUNTY, OKLAHOMA

Exhibit "A"

**LEGAL DESCRIPTION
BOYD STREET COMMONS
ROW RELEASE #1
NORMAN, OKLAHOMA**

Being a release of right-of-way lying in the Southeast Quarter (S.E. ¼) of Section Thirty-two (32), Township Nine North (T9N), Range Two West (R2W), of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the Northeast corner of said S.E. ¼;

THENCE South 90°00'00" West along the North line of said S.E. ¼ a distance of 330.18 feet;

THENCE South 00°04'40" East a distance of 33.00 feet;

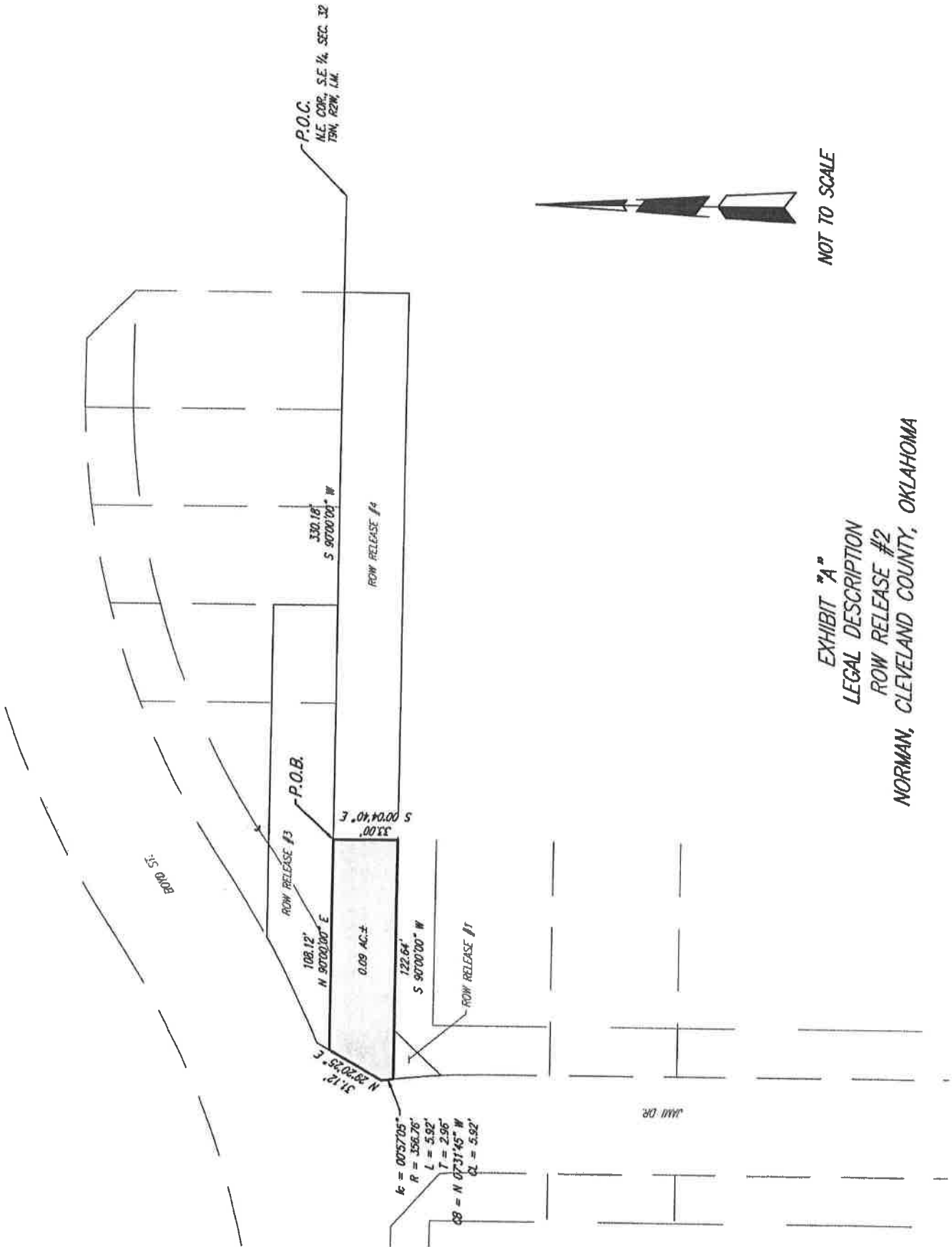
THENCE South 90°00'00" West a distance of 97.64 feet to the **POINT OF BEGINNING**;

THENCE South 42°28'57" West a distance of 33.76 feet to a point on a non-tangent curve;

THENCE along a curve to the left having a radius of 356.77 feet (said curve subtended by a chord which bears North 05°02'45" West a distance of 25.00 feet) with an arc length of 25.00 feet;

THENCE North 90°00'00" East a distance of 25.00 feet to the **POINT OF BEGINNING**.

Said release of right-of-way contains 0.01 acres, more or less.



NOT TO SCALE

EXHIBIT "A"
 LEGAL DESCRIPTION
 ROW RELEASE #2
 NORMAN, CLEVELAND COUNTY, OKLAHOMA

P.O.C.
 N.E. COR. S.E. 1/4, SEC. 32
 T20N, R22W, L.M.

P.O.B.

IC = 00°57'05"
 R = 356.76'
 L = 5.92'
 T = 2.96'
 CB = N 07°31'45" W
 CL = 5.92'

330.18'
 S 90°00'00" W

ROW RELEASE #4

33.00'
 S 00°04'40" E

ROW RELEASE #3

108.12'
 N 90°00'00" E

0.09 AC ±

122.64'
 S 90°00'00" W

ROW RELEASE #1

31.12'
 N 28°20'25" E

B707 57

JAMII DR

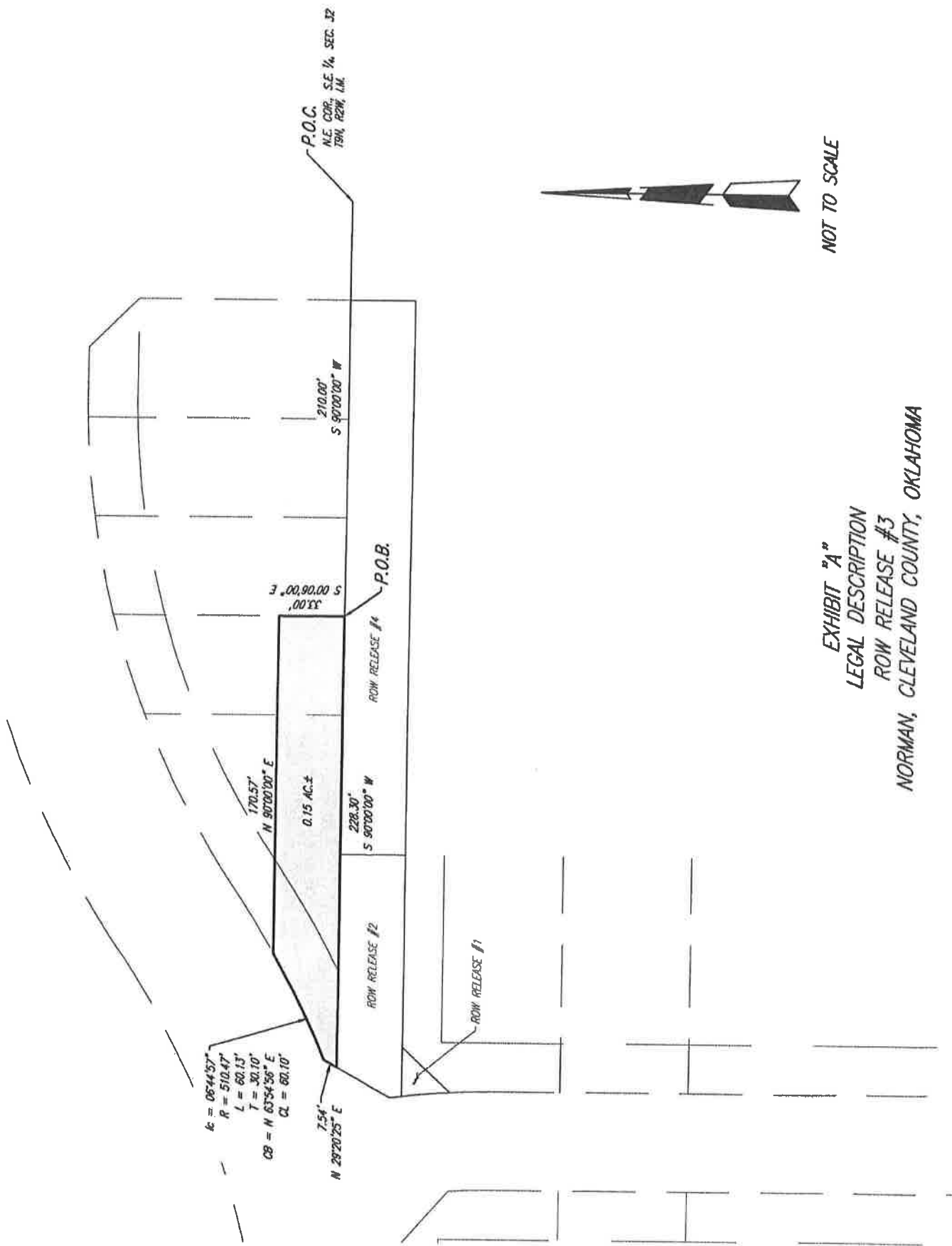
**LEGAL DESCRIPTION
BOYD STREET COMMONS
ROW RELEASE #2
NORMAN, OKLAHOMA**

Being a release of right-of-way lying in the Southeast Quarter (S.E. ¼) of Section Thirty-two (32), Township Nine North (T9N), Range Two West (R2W), of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the Northeast corner of said S.E. ¼;
THENCE South 90°00'00" West along the North line of said S.E. ¼ a distance of 330.18 feet to the **POINT OF BEGINNING**;

THENCE South 00°04'40" East a distance of 33.00 feet;
THENCE South 90°00'00" West a distance of 122.64 feet to a point on a non-tangent curve;
THENCE along a curve to the left having a radius of 356.76 feet (said curve subtended by a chord which bears North 07°31'45" West a distance of 5.92 feet) with an arc length of 5.92 feet;
THENCE North 29°20'25" East a distance of 31.12 feet to a point on the North line of said S.E. ¼;
THENCE North 90°00'00" East a distance of 108.12 feet to the **POINT OF BEGINNING**.

Said release of right-of-way contains 0.09 acres, more or less.



NOT TO SCALE

EXHIBIT "A"
 LEGAL DESCRIPTION
 ROW RELEASE #3
 NORMAN, CLEVELAND COUNTY, OKLAHOMA

**LEGAL DESCRIPTION
BOYD STREET COMMONS
ROW RELEASE #3
NORMAN, OKLAHOMA**

Being a release of right-of-way lying in the Northeast Quarter (N.E. ¼) of Section Thirty-two (32), Township Nine North (T9N), Range Two West (R2W), of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the Northeast corner of said S.E. ¼;
THENCE South 90°00'00" West along the North line of said S.E. ¼ a distance of 210.00 feet to the **POINT OF BEGINNING**;

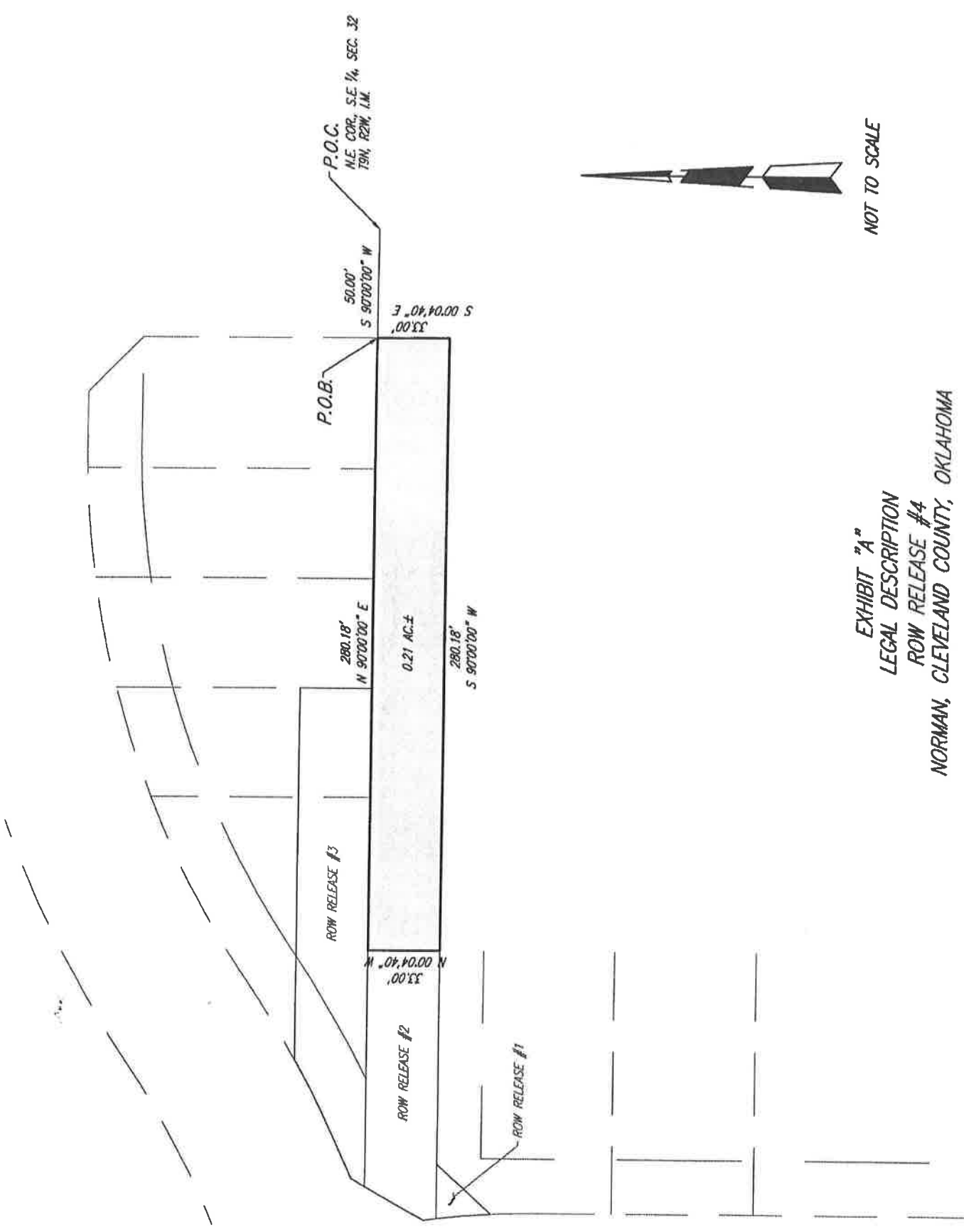
THENCE continuing North 90°00'00" West along said North line a distance of 228.30 feet;

THENCE North 29°20'25" East a distance of 7.54 feet to a point on a non-tangent curve;
THENCE around a curve to the left having a radius of 510.47 feet (said curve subtended by a chord which bears North 63°54'56" East, a distance of 60.10 feet) and an arc length of 60.13 feet;

THENCE North 90°00'00" East a distance of 170.57 feet;

THENCE South 00°06'00" East a distance of 33.00 feet to the **POINT OF BEGINNING**.

Said release of right-of-way contains 0.15 acres, more or less.



NOT TO SCALE

EXHIBIT "A"
 LEGAL DESCRIPTION
 ROW RELEASE #4

NORMAN, CLEVELAND COUNTY, OKLAHOMA

**LEGAL DESCRIPTION
BOYD STREET COMMONS
ROW RELEASE #4
NORMAN, OKLAHOMA**

Being a release of right-of-way lying in the Southeast Quarter (S.E. $\frac{1}{4}$) of Section Thirty-two (32), Township Nine North (T9N), Range Two West (R2W), of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the Northeast corner of said S.E. $\frac{1}{4}$;
THENCE South 90°00'00" West along the North line of said S.E. $\frac{1}{4}$ a distance of 50.00 feet to the **POINT OF BEGINNING**;

THENCE South 00°04'40" East a distance of 33.00 feet;
THENCE North 90°00'00" East a distance of 280.18 feet;
THENCE North 00°04'40" West a distance of 33.00 feet to a point on said North line;
THENCE North 90°00'00" West along said North line a distance of 280.18 feet to the **POINT OF BEGINNING**.

Said release of right-of-way contains 0.21 acres, more or less.