



## Legislation Text

**File #:** E-1617-31, **Version:** 1

TEMPORARY EASEMENT E-1617-31: CONSIDERATION OF ACCEPTANCE OF A TEMPORARY DRIVEWAY EASEMENT DONATED BY CD/PARK 7 NORMAN OWNER, L.L.C. (RICHARD OWEN, JR.), FOR THE 12TH AVENUE S.E. WIDENING PROJECT LOCATED BETWEEN CEDAR LANE AND HIGHWAY 9.

**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 12<sup>th</sup> Avenue SE Widening Project. Please see the attached location map showing the project boundaries.

On December 11, 2012, the Norman City Council approved Programming Resolution R-1213-78 requesting federal funds for the 12<sup>th</sup> Avenue S.E. Widening 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 cost for the administration and construction with the matching share from the City of Norman.

On April 9, 2013, City Council approved engineering services Contract K-1213-161 with Tetra Tech Inc. for the design of the 12<sup>th</sup> Avenue SE Widening Project which involves the construction of a new four-lane roadway that will include five foot bike lanes on each side of the road. The project will also include improvements at the intersection of Highway 9 and 12<sup>th</sup> Avenue SE, extend the bike lanes north to Oak Tree Avenue and add a left turn lane into the Campus Crest Apartments.

On March 11, 2014, City Council approved Amendment #1 to provide additional intersection analysis and design at Highway 9 to accommodate the added traffic generated by two new apartment complexes on 12<sup>th</sup> Avenue SE between Highway 9 and Cedar Lane as well as anticipated future development in the surrounding area.

On April 14, 2015, City Council approved Amendment #2 for additional engineering services to Contract No. K-1213-161 with Tetra Tech Inc., adding water line relocation plans to the design scope of the project.

On December 13, 2016, City Council awarded Bid 1617-28 to Central Contracting Services, Inc., in the amount of \$77,118 for the 12<sup>th</sup> Avenue SE Water Line Relocation. City Council also approved Contract K-1617-81 for the relocation of Oklahoma Electric Cooperative (OEC) overhead power lines to underground in the vicinity of the HIGHWAY 9 intersection.

Proposed improvements for the 12<sup>th</sup> Avenue S.E. Widening Project include:

1. Widening 12<sup>th</sup> Avenue S.E. from Cedar Lane Road to State Highway 9 from 2 lanes to 4 lanes
2. Addition of 5-foot on-street bike lanes
3. Intersection improvements at 12<sup>th</sup> Avenue SE/Campus Crest Drive and 12<sup>th</sup> Avenue SE/State Highway 9
4. Continuous sidewalks on both sides
5. Stormwater improvements

The City must acquire seven (7) easements along 12<sup>th</sup> Avenue SE between Cedar Lane and Highway 9 for the construction of the 12<sup>th</sup> Avenue SE Widening Project. These easements vary in size and usage; two (2) are drainage easements, two (2) are permanent road easements and three (3) are temporary drive easements. Six (6) of the seven easements have been secured. This item brings before Council the formal acceptance of an easement that was donated by the property owner for this project.

**DISCUSSION:** For all of the property acquisitions, Staff requested donations prior to making any offers of fair market value. One (1) drainage easement and the three (3) temporary driveway easements were donated. The attached table provides the details of each easement. Also, the Right-of-Way sheet is attached providing the location of each easement

necessary for the project. Funds are available within the 12<sup>th</sup> Avenue SE Project (# BP0191) to pay for the easements.

The one (1) unsecured parcel, held by the Madole's, is currently going through the eminent domain process to ensure the project remains on schedule and we do not lose federal funding on this project. As negotiations continue, it is anticipated that this easement will be brought to Council at a later date for acceptance.

**RECOMMENDATION:** Staff recommends that Temporary Driveway Easement donated by CD/Park 7 Norman Owner, L.L.C. (Richard Owen, Jr.) be accepted and the filing be directed thereof.