



## Legislation Details (With Text)

**File #:** O-2021-32    **Version:** 1    **Name:** 36th SE ROW Closure  
**Type:** Zoning Ordinance    **Status:** Passed  
**File created:** 2/9/2021    **In control:** City Council  
**On agenda:** 4/27/2021    **Final action:** 4/27/2021  
**Title:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2021-32 UPON SECOND AND FINAL READING AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THIRTY-THREE (33) FEET OF A PORTION OF THE STATUTORY RIGHT-OF-WAY OF 36TH AVENUE S.E. TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. City Council Staff Report, 2. O-2021-32, 3. Location Map Revised, 4. Request for Closure, 5. Staff Report, 6. 3-11-21 PC Minutes - O-2021-32 - 36th SE Vacation

Date	Ver.	Action By	Action	Result
4/27/2021	1	City Council		
4/27/2021	1	City Council		
4/13/2021	1	City Council		
3/11/2021	1	Planning Commission	Recommended for Adoption at a subsequent City Council Meeting	Pass

CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2021-32 UPON SECOND AND FINAL READING AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THIRTY-THREE (33) FEET OF A PORTION OF THE STATUTORY RIGHT-OF-WAY OF 36TH AVENUE S.E. TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

**BACKGROUND:** Statutory rights-of-way were established in Oklahoma with section lines as a grid system. Within Cleveland County a total of sixty-six feet (66') of total statutory rights-of-way were assigned for section line roads with thirty-three feet (33') on each side of the Section Line. There are a few occasions where section line roads were never constructed within the rights-of-way. That is the case in this instance. The attorney for the owner wants to clear up any potential issues before final platting future phases of Bellatona Addition. Planning Commission, at its meeting of March 11, 2021, recommended approval of Ordinance O-2021-32.

**DISCUSSION:** The right-of-way being requested for closure is 33' of the east half of the 66' statutory right-of-way of 36<sup>th</sup> Avenue S.E. This road section does not exist and there are no road connections that could be served by this road section. There are no plans to complete this road section. The Comprehensive Transportation Plan does not include the construction of 36<sup>th</sup> Avenue S.E. City Council approved the preliminary plat for Summit Valley Addition at its meeting of October 14, 2003. There was no proposal to construct 36<sup>th</sup> Avenue S.E. as part of that preliminary plat. With the current approved preliminary plat for Bellatona Addition, there is no proposal of the use of the right-of-way with the construction of 36<sup>th</sup> Avenue S.E.

It should be noted there are two existing houses served by the west 33' statutory right-of-way with a private driveway. These properties will not be impacted by the closure.

All of the franchised utilities were notified to assess the impact on their facilities if the right-of-way was closed. There have been no objections to the request. There are no City owned utilities located within the right-of-way. City staff is not opposed to the closure of the statutory right-of-way as described.

**STAFF RECOMMENDATION:** Staff recommends adoption of Ordinance O-2021-32.