



Legislation Text

File #: E-1819-27, **Version:** 1

EASEMENT E-1819-27: 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 NW.

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-1819-27 is a conveyance of a utility and roadway easement along the northern portion of the parcel abutting Rock Creek Road.

DISCUSSION: E-1819-27, 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.