



## Legislation Text

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**File #:** O-1920-30, **Version:** 1

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CONSIDERATION OF ORDINANCE O-1920-30 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING FOUR (4) PORTIONS OF PUBLIC RIGHT-OF-WAY ON THE SOUTH SIDE OF BLOCK FIVE (5) OF BEL-AIRE #3 ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

**BACKGROUND:** The applicants have requested the closure of a portion of Boyd Street right-of-way. Boyd Street right-of-way was deeded to Cleveland County in 1915 in Book 44, Page 260. With the City of Norman annexing this property into the Corporate City Limits in 1955, the City of Norman assumed the responsibility for the maintenance of Boyd Street.

Planning Commission, at its meeting of December 12, 2019, recommended to City Council the approval of Ordinance No. O-1920-30.

**DISCUSSION:** In the early 1980's with the construction of 12<sup>th</sup> Avenue S.E., it was determined Boyd Street on the west side of 12<sup>th</sup> Avenue needed to realign with Boyd Street on the east side of 12<sup>th</sup> Avenue (four way intersection). Easements were obtained for the realignment. At that time, there were discussions of vacating the old alignment of Boyd Street. However, staff was unable to find any documentation that the vacation ever took place. Since it impacts this property, the developers and adjacent property owners have requested the closure and future vacation of the south half and a portion of the north half of the right-of-way. The developer is proposing an open space area with a park like entrance into their development with the use of the property. It will also expand their property to the north. There are four releases described within this request due to the different adjacent owners.

It should be noted, that the City has a sanitary sewer line that runs within the property (existing right-of-way). However, the preliminary plat provides a utility easement for the sanitary sewer line and any utilities that might be existing within the right-of-way.

**STAFF RECOMMENDATION:** Based on the fact the right-of-way is no longer needed for the previous location of Boyd Street, staff supports the request to close and later vacate those portions of the old Boyd Street right-of-way as described in the legal descriptions submitted for the closure.