



Legislation Text

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EXCHANGE OF TITLE TO REAL PROPERTY BY DEEDS BETWEEN THE CITY OF NORMAN AND HIGHWAY 9 LAND COMPANY TO CORRECT A CONVEYANCE OF INACCURATELY IDENTIFIED LAND, AND CONVEY THE CORRECT AND COMPLETE PARK LAND GRANT FOR THE SUMMIT VALLEY PARK SITE.

BACKGROUND: In 2003, a portion of the land north of State Highway 9, on both sides of 36th Avenue SE was platted for development of Summit Valley Addition. The Board of Park Commissioners accepted the staff recommendation at that time to accept an estimated 7 acres of park land from the developer to satisfy the Park Land Dedication ordinance of the City of Norman. As time passed, the preliminary plat for Summit Valley Addition split into two final plats, one for Summit Valley Addition and one for Bellatona Addition; with both remaining under control of the same developer, however. Each addition maintained their obligation to provide public park land, which was ultimately decided to be a total of 7.254 acres of contiguous land with easy access from both neighborhoods. In 2009, the City received a deed for 0.6484-acre of land from the developer for a first phase of development in Summit Valley to cover its land obligation at that time. The remaining acreage was to come as future phases of the developments were brought to final plat stage. However, since the filing of that first park land deed, the City has met with the developer and agreed to modify the shape of the park land to include a more suitable portion of land including more street frontage and necessitating the adjustment of some lot lines. The overall size of the total park remains above the required size noted earlier. However, in order to account for the change in shape and to clarify the single deed for the entire 7.254 acres of park land now proposed, the City must return the original 0.6484-acre parcel to the developer in exchange for a new deed from the developer for the entire park, and file the conveyances to both parties correctly so as to be free from any title issues.

Also, on 13 October, 2015, the citizens of Norman voted to fund the *NORMAN FORWARD* Quality of Life projects with a limited-term ½% sales tax increase for 15 years. This initiative included a number of high priority projects identified in the 2014 Library Master Plan Update, the 2009 Norman Parks and Recreation Master Plan and additional projects designed to provide recreational opportunities for Norman residents. One such project was the development of new neighborhood parks in areas where land had been acquired and we had access to the site with streets and utilities. Summit Valley Park is one such site; and the City is now ready to develop that park. Park Planning staff is in the process of distributing a survey to the local Home Owner Associations in Summit Valley and Bellatona Additions to gather residents' input on what they would like to see built in their new park. Once that input is received, Park Planning staff will use it to create a park design and present it to the public for their final approval. The City will then proceed with park construction in the following months.

DISCUSSION: The Parks and Recreation Department has contacted the developer of Summit Valley and Bellatona Additions and they are in agreement that the description of the property on the 2009 deed for 0.6484 acre is correct, and taking it back via the Quit Claim Deed now proposed will clear

the potential title issues for the Warranty Deed they have prepared for the 7.254 acres of park land, which will satisfy the park land requirement for both developments. The deed for the entire park, including a portion of the 0.6484-acre area, is concurrently given to the city via the proposed Warranty Deed included with this item. Summit Valley Park's development is funded in the FYE 2019 NORMAN FORWARD budget; and will be supplemented with the funds also collected from building permits and from the building permits issued in the area over the years.

RECOMMENDATION: It is recommended that City Council approve the exchange of title to real property via the Quit Claim Deed and Warranty Deeds included in this item, in order to correct inaccurately-identified park land and replacement with an accurate and complete Park Land Grant for the development of the Summit Valley & Bellatona neighborhood park.