



Legislation Text

File #: O-2021-43, **Version:** 1

CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2021-43 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A TEN FOOT (10') TRACT OF LAND IN BLOCK 1 OF THE REPLAT OF FUZZELL'S SECOND ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND: This is a request for closing a certain 10' strip of land that appears to be platted right-of-way (typically used for alley purposes and utilities) located in Block 1, Replat of Fuzzell's Second Addition. The property is generally located between Berry Road and Gatewood Drive south of West Main Street. The final plat of a Replat of Fuzzell's Second Addition was filed of record October 20, 1949.

DISCUSSION: The attorney for the applicants has submitted a request to close and vacate a ten-foot (10') strip of land that appears to be right-of-way so that the strip can be used by the contiguous properties. The replat is not clearly labeled; however, the character and location of the strip of property appears to be platted right-of-way. Additionally, utilities are located within the 10' strip, presumably treating it as a publicly-dedicated right-of way. Physical alley paving does not and has never existed. As a condition to an approval of the Closure by the City, City staff is recommending that a utility easement to serve existing utilities be provided at the time of vacation in District Court. The utility companies were notified of the application.

It should be noted, a similar request was made in October of 2020. However the request was withdrawn at the time based on the fact not all of the participants were in agreement with closing the right-of-way.

RECOMMENDATION: With easements replacing the 10' width right-of-way, staff supports the closure as described in the applicant's request.

Planning Commission, at its meeting of May 13, 2021, recommended adoption by a vote of 8-0.