



# City of Broken Arrow

## Legislation Details (With Text)

**File #:** 17-2897 **Name:**  
**Type:** Consent Item **Status:** Agenda Ready  
**File created:** 11/14/2017 **In control:** Broken Arrow City Council  
**On agenda:** 11/21/2017 **Final action:**  
**Title:** Acceptance of a Mutual Access and Utility Easement on a portion of unplatted property south of Houston Street, one-quarter mile west of 23rd Street

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2-MUTUAL ACCESS AND UTILITY EASEMENT.pdf, 2. 3-AERIAL.TWIN CITIES EASEMENT.pdf

Date	Ver.	Action By	Action	Result
11/21/2017	1	Broken Arrow City Council	approved	Pass

**Broken Arrow City Council  
Meeting of: 11-21-2017**

**To:** Mayor and City Council Members  
**From:** Development Services Department  
**Title:**

**Acceptance of a Mutual Access and Utility Easement on a portion of unplatted property south of Houston Street, one-quarter mile west of 23<sup>rd</sup> Street**

**Background:**

In January 2017, Twin Cities Ready Mix, Inc. purchased 19.33 acres south of Houston Street. The entire frontage of this property, which abuts 23<sup>rd</sup> Street, is located in the 100-year floodplain of Broken Arrow Creek.

Because of the drainage issues along 23<sup>rd</sup> Street, the previous property owner in 2012 had obtained a 50-foot wide mutual access and utility easement that crossed the abutting property to the north and allowed their property to be connected Houston Street. The current property owner, Twin Cities Ready Mix, Inc., evaluated this easement and determined that it was not wide enough to accommodate the vehicles for the concrete plant they are proposing to build. As a result, they obtained an additional 30-foot wide mutual access and utility easement, which makes the total easement 80-feet in width. This easement is located south of Houston Street, one-quarter mile west of 23<sup>rd</sup> Street.

On November 9, 2017, the property owner inadvertently recorded the mutual access easement and utility easement in Tulsa County without the approval of the City Council and signatures of the City Manager and City Clerk. Staff has visited with Tulsa County, and they are in agreement that the document can be rerecorded upon approval of the City Council and appropriate signatures added.

City Staff has reviewed and recommends acceptance of the Mutual Access and Utility Easement.

**Cost:** Recording Fees

**Prepared By:** Brent Murphy, AICP

**Reviewed By:** Development Services Department  
Legal Department  
Assistant City Manager, Operations

**Approved By:** Michael L. Spurgeon, City Manager

**Attachments:** Mutual Access and Utility Easement  
Aerial

**Recommendation:**  
Accept the mutual access and utility easement.