



City of Broken Arrow

Request for Action

File #: 17-2424, Version: 1

**Broken Arrow City Council
Meeting of: 07-18-2017**

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

Approval to dedicate and authorization to execute a Utility Easement regarding an area owned by Signature Properties along the west side of Block 2, Lot 1 and Reserve D of Bristol Ponds, located one-quarter mile north of Washington Street, one-quarter mile west of Elm Place (Section 15, T18N, R14E)

Background:

On November 2, 2005, the final plat for Bristol Ponds was recorded in Tulsa County. The covenants for Bristol Ponds stated “Reserves D shall be limited to use for open space, landscaping and utilities and is reserved for subsequent conveyance to the Homeowners’ Association. Notwithstanding the above, all or part of Reserve D may alternatively be retained by the owner/developer for use and development as one or more single family lots. The extent that Reserve D is used for single family residential purposes, it shall be considered a “lot” or “lots” as defined herein and use of the same shall be subject to the conditions and restrictions established within this deed of dedication with respect to the “lots”. It is intended that, should all or part of Reserve D be used for single family residential purposes, Reserve D may be further subdivided by lot split or replatting. Prior to Reserve D being utilized as a “lot” or “lots”, all floodplain requirements required by the City of Broken Arrow shall be met.”

The developer is proposing to construct a single family residence on this lot. The address will be 1534 S. Fern Place. While the covenants acknowledged that Reserve D could be used for utilities, an easement already exist along the north property line.

The lot does not have sanitary sewer. To avoid coming across the property to the south, the developer has requested placing a 6-inch private sewer line immediately west of the lot adjacent to the detention pond owned by the City.

Staff has reviewed the documents and recommends that the Council both approve dedication of the Utility Easement and acceptance of it.

Cost: Recording Costs
Prepared By: Michael Skates, P.E., CFM, Development Services Director
**Reviewed By: Assistant City Manager - Operations
Legal Department**

Approved By: Michael L. Spurgeon, City Manager

Attachments: Utility Easement
Recorded plat for Bristol Ponds
Recorded deed of dedication for Bristol Ponds

Recommendation: Approve dedication of the Utility Easement and authorize its execution and accept the Utility Easement.