



# City of Broken Arrow

## Request for Action

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**File #: 16-890, Version: 1**

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**Broken Arrow City Council  
Meeting of: 08-02-2016**

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

**Consideration, discussion and preview of an ordinance closing a utility easement on property located in Part of Lot Two (2), Block One (1), Hillside Crossings, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located north of the Broken Arrow Expressway and west of 9th Street; specifically repealing ordinance number 3412; repealing all ordinances to the contrary; and declaring an emergency**

**Background:**

The applicant, Stephen Schuller of GableGotwals, on behalf of QuikTrip Corporation contacted staff on July 10, 2016 advising the recent ordinance 3412 to close a utility easement had a scrivener's error with the wrong lot callout on the legal description.

Previous Ordinance language background information. *"The lot callout on the has requested on behalf of Hillside Development LLC, the closure of a Utility Easement shown on the Plat of Hillside Crossings, PUD 207A (Plat No. 6505). No utilities have been installed in such easement and none are planned; therefore, the easement is no longer required for public purposes. Closure of the easement is recommended to eliminate unnecessary future maintenance, regarding the Utility Easement described in the application.*

*The property was originally platted as Lot 2, Block 1 of Hillside Crossings. On August 13, 2015, the Planning Commission approved BAL 1077, a lot split involving the 3.09 acre undeveloped platted lot. The applicant, Hillside Development LLC, requested to split Lot 2 into two lots. Tract A1, the west parcel, contains 2.02 acres, while Tract A2, the east parcel has 0.83 acres. Tract A2 is in the process of being combined with Lot 1, Block 1 to the east.*

*Oklahoma Natural Gas (ONG), Public Service Company of Oklahoma (PSO), Cox Communications, and Windstream indicate they do not have any problems with the proposed Utility Easement closure."*

City staff has reviewed the revised legal description with the corrected lot number and recommends previewing the revised ordinance which specifically repeals ordinance number 3412, as well as all others in conflict therewith.

**Cost: None**  
**Prepared By: Michael, W. Skates, P.E., CFM, Development Services Director**  
**Reviewed By: Legal Department**  
**Assistant City Manager - Operations**

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

**Attachments:** Existing Ordinance No. 3412  
Existing Utility Closure Exhibit  
Hillside Crossings PUD 207A Final Plat  
Conceptual Site Plan for Quick Trip 0034  
Revised Ordinance for Preview  
Revised Utility Closure Exhibit

**Recommendation:** Preview the revised ordinance and set it for adoption.