



City of Broken Arrow

Request for Action

File #: 17-1784, Version: 1

**Broken Arrow City Council
Meeting of: 02-07-2017**

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

Acceptance of a Utility Easement from Signature Properties along the eastern part of the north half of Reserve O 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 G, L, M, N, and O shall be limited to use for open space, landscaping and utilities and are reserved for subsequent conveyance to the Homeowners’ Association. Notwithstanding the above, all or part of Reserve O may alternatively be retained by the owner/developer for use and development as one or more single family lots. The extent that Reserve O 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 O be used for single family residential purposes, Reserve O may be further subdivided by lot split or replatting. Prior to Reserve O being utilized as a “lot” or “lots”, all floodplain requirements required by the City of Broken Arrow shall be met.”

On November 3, 2016, the Planning Commission approved BAL 2002, that split Reserve O into two lots. The developer is proposing to construct a single family residence on each lot. While the covenants acknowledged that Reserve O could be used for utilities, no easements were provided across Reserve O. The utility companies have requested that a utility easement be provided. As a result, Signature Properties is requesting a utility easement along the eastern part of the north half of Reserve O.

Staff has reviewed the documents and recommends acceptance of the utility easement.

Cost: None

Prepared By: Brent Murphy, Senior Planner

**Reviewed By: Department of Engineering and Construction
Utilities Department
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: Accept the utility easement.

BDM