



City of Broken Arrow

Request for Action

File #: 17-1790, 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 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, I, J and K - Open space and guest parking. The use of Reserve D, I, J and K shall be limited to use for guest parking, open space, landscaping and utilities and are 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 a single family lot. To the extent that Reserve D is used for single family residential purposes, it shall be considered a "lot" 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".

The developer is proposing to construct a single family residence on Reserve D. While the covenants acknowledged that Reserve D could be used for utilities, no easements were provided across Reserve D. 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 Reserve O.

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

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 Dedication
Recorded plat for Bristol Ponds
Recorded deed of dedication for Bristol Ponds

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Recommendation: Accept the utility easement.

BDM