



City of Broken Arrow

Request for Action

File #: 17-2810, Version: 1

**Broken Arrow City Council
Meeting of: 11-7-2017**

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

Consideration, discussion, and possible adoption of Ordinance No. 3502, an ordinance closing a utility easement on property located in the Northeast Quarter (NE/4) of Section Thirty Four (34), Township Nineteen (19) North, Range Fourteen (14) East, Wakefield Heights at Battle Creek, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located south of Omaha Street and one-half mile west of Elm Place; repealing all ordinances to the contrary; and declaring an emergency (Yancy Thompson)

Background:

The applicant has submitted an application requesting the closure of a 14.5-foot portion of a 17.5-foot utility easement as described in the attached Utility Easement Vacation Exhibit for the home located at 3401 N Narcissus Avenue. The plat for Wakefield Heights at Battle Creek was recorded in Tulsa County on March 5, 1997. The existing home is platted as Lot 20, Block 1. The applicant is proposing to construct a pool which would encroach into this easement.

According to the applicant, it has verified that utility lines are located in the side yard easement on the west of his property. AEP/PSO, Windstream, ONG, COX, and the City of Broken Arrow have provided consent to close the portion of the easement over which the house encroaches.

The attached easement closure was previewed by the City Council on October 17, 2017. Staff recommends the Council Adopt Ordinance No. 3502 and approve the Emergency Clause.

Cost: \$0

Prepared By: Amanda Yamaguchi, Staff Planner

Reviewed By: Department of Engineering and Construction
Utilities Department
Assistant City Manager - Operations
Legal Department

Approved By: Michael L. Spurgeon, City Manager

Attachments: Ordinance No. 3502
Utility Easement Vacation Exhibit
Recorded Plat

Recommendation: Adopt Ordinance No. 3502 and approve the Emergency Clause.