



City of Broken Arrow

Request for Action

File #: 18-546, Version: 1

**Broken Arrow City Council
Meeting of: 05-15-2018**

Title:

Approval of and authorization to execute an Encroachment Agreement and Release of Liability from Big Star Real Estate, LLC for a portion of a structure built into a utility easement located on Lot 2, Block 8, Stacey Lynn Fifth, approximately one-half mile north of Washington Street and east of Aspen Avenue on (S15 T18N R14E)

Background:

The owner of the property, Big Star Real Estate, is requesting approval of an Encroachment Agreement and Release of Liability for a (approximately 1.5 foot by 34.3 foot) building encroachment into the 10 foot utility easement on the north portion of the property. According to the Tulsa County Assessor's records the property was built in 1976. It appears that when it was constructed, the structure was built into the side yard utility easement. According to the owner, the property has been bought and sold several times over the past 40 years and this is the first time the encroachment has been addressed. The owner is not aware of any utilities in the portion of the easement into which the building encroaches except possibly those necessary for providing service to the home.

Staff and utility companies have reviewed all documents and attachments pertaining to this request and recommend approval of the Encroachment Agreement and Release of Liability.

Cost: \$0

Funding Source: None

Requested By: Michael W. Skates, Development Services Director

Approved By: Michael L. Spurgeon, City Manager

Attachments: Encroachment Agreement and Release of Liability

Recommendation:

Approve the Encroachment Agreement and Release of Liability and authorize its execution.