



MEMORANDUM

Council Agenda
Item No. IX. BC
1/2/2023

The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: Craig Freeman, City Manager

Avigation and Hazard Easement be accepted by The City of Oklahoma City and the Oklahoma City Airport Trust from Wal-Mart Real Estate Business Trust, for a tract of land lying in the North West corner of SW 104th Street and South. May Avenue. Ward 5.

Location:

A tract of land lying in the Southwest Quarter of Section 1, Township 10 North, Range 4 West, of the Indian Meridian, Cleveland County, Oklahoma; containing approximately 22.9877 acres, more or less.

Background:

Pursuant to § 59-13150 of the Oklahoma City Municipal Code, an avigation easement shall be granted to the Trust as a condition of subdivision or building permit approval for all uses within the Airport Environs Zone Two (AE-2) overlay district. This Municipal Code requirement has been established to prevent the creation of airport hazards, to protect the long-term utility of airports and the public investment involved therein, and to acknowledge the potential for adverse impact on surrounding properties developed in a close proximity to an airport.

Wal-Mart Real Estate Business Trust grants the attached Avigation and Hazard Easement as a condition precedent to receiving building permit approval within the AE-2 zone for Will Rogers World Airport. Pursuant to the easement, the grantor agrees that it will not hereafter erect any building, structure, tree, or other object extending into prohibited air space, and that it shall not hereafter use the property in such a manner as to endanger the landing, take off, or maneuvering of aircraft. The grantor furthermore waives all damages and claims for damages caused or alleged to be caused by or incidental to such activities. The Avigation and Hazard Easement shall run with the land and shall be forever binding upon the heirs, administrators, executors, successors and assigns of the grantor.

Review:

Department of Airports

Recommendation: Easement be accepted.