



office memorandum

Date: October 29, 2012
To: Brenda Hall, City Clerk
From: Jim Speck, Capital Projects Engineer
Re: Consent to Encroach 1213-2
Lot 5 & 6, Block 6, Northridge Industrial Park Addition (3505 North Flood Avenue)

Lot 5 & 6, Block 6, Northridge Industrial Park Addition (3505 North Flood Avenue) has a 10 foot Utility Easement (U/E) located along the common boundary of Lots 5 & 6 for a total easement width of 20 feet. There is currently a 10 inch sanitary sewer located within the easement that is approximately 7 to 10 feet deep.

Absolute Data Shredding proposes to construct a loading dock across the 20 foot easement that would attach to the existing building located on Lot 6. The loading dock would require excavation to install a footing approximately 3.5 feet above the top of the existing sewer pipe that would extend approximately 26 feet over the existing pipe.

The Utilities Department objects to all encroachments on utility easements unless the applicant agrees to certain requirements being filed of record on the consent document. A recommendation to approve is forwarded only when the applicant agrees to the following:

1. The property owner agrees to limit the excavation to provide a minimum of 3 feet of clearance between the top of pipe and the bottom of footing.
2. The property owner will be responsible for the cost to repair any damages to the City's utilities caused by any excavation, piercing or other construction activities conducted by the property owner or his agents.
3. The property owner will be responsible for the cost the City incurs to remove any fence, curb, landscaping, paving, loading dock, building, or any other structure if needed to facilitate maintenance or repair of the City's utilities.
4. The property owner will be responsible for the cost to repair or replace any fence, curb, landscaping, paving, loading, dock, building, or any other structure after such repairs.
5. The property owner will waive and release any claims against the City for any damages to the building/s and related improvements caused by a failure or repair and maintenance of the City's utilities within the easement area.

The Utilities Department can approve the encroachment application if the above requirements are filed of record on the consent document. Please advise if you have any questions.

Cc: Jeff Bryant
Ken Danner
Ken Komiske
Mark Daniels
David Hager