



# office memorandum

Date: September 10, 2014  
To: Brenda Hall, City Clerk  
From: Jim Speck, Capital Projects Engineer JS  
Re: Consent to Encroach 1415-2  
Lot 21, Block 1, Cascade Estates Addition, Section 7  
(4129 Eden Court)

The lot located at 4129 Eden Court (Lot 21, Block 1, Cascade Estates Addition, Section 7) has a platted 10-foot wide utility easement (U/E) along the rear property line. A storage building has been constructed within the platted easement and lies over an existing sewer main. Therefore the owner has requested a consent to encroach for the structure.

There is currently an 8-inch sewer main located in the U/E directly under the building. The storage building is constructed on skids and could be moved when necessary.

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 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.
2. The property owner will be responsible for the cost the City incurs to remove any fence, curb, landscaping, building, and any other structure if needed to facilitate maintenance or repair of the City's utilities.
3. The property owner will be responsible for the cost to repair or replace any fence, curb, landscaping, building, or any other structure after such repairs.
4. The property owner will waive and release any claims against the City for any damages to the residence and related improvements caused by 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