




# office memorandum

Date: August 27, 2018  
To: Brenda Hall, City Clerk  
From: Charlie Thomas, P.E., Capital Projects Engineer   
Subject: Consent to Encroach 1819-2  
(621 Summit Crest Lane)

A standard utility easements (U/E), seventeen feet (17') wide, lies along the back (east) lot line of subject property. An eight-inch (8") PVC public sewer line, about six feet (6') deep, lies in the U/E. The property owner wishes to encroach into the U/E to install a landscaping retaining wall. Said wall could adversely impact maintenance of NUA assets.

The Utilities Authority objects to all encroachments on utility easements. However, if the applicant agrees to certain requirements; i.e. the following requirements filed of record on the consent document, NUA staff will not oppose a recommendation for approval:

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, retaining wall, and/or any other structure if needed to maintain or repair NUA facilities.
3. The property owner will be responsible for the cost to repair or replace any fence, curb, retaining wall, landscaping 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.

Please advise if questions arise.

cc: Ken Danner  
Utilities folder  
Jeff Bryant