



office memorandum

Date: June 20, 2016
To: Brenda Hall, City Clerk
From: Charlie Thomas, P.E., Capital Projects Engineer
Re: Consent to Encroach 1516-7
Lot 20, Block 3, Summit Lakes Addition
(628 Summit Crest Lane)

The lot located at 628 Summit Crest Lane (Lot 20, Block 3, Summit Lakes Addition) has a ten foot (10') wide utility easement (U/E) located along the northeast property line and another along the rear of the lot. The property owner wishes to encroach into the former for construction of a retaining wall and fence.

There are currently no water or sewer mains located with the first U/E. However, an 8" sewer line lies in the latter U/E.

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 recommend approval of 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