



# office memorandum

Date: April 15, 2021  
To: Brenda Hall, City Clerk  
From: Rachel Croft, Staff Engineer *RC*  
Subject: Consent to Encroach 2021-9  
(1704 Barwick Dr – Block 1, Lot 8, Brookhaven Addition, Section 10)

An existing platted utility easement lies about 80 feet northwest from the building line of the subject property. This easement runs northeast to southwest through the property lot and is 10 feet in width. In addition, a 20 foot public easement is situated northwest of this utility easement. The applicant proposes to encroach into the utility easement running through the lot with an addition to the existing house plus the existing inground pool and patio that encroach into the easement.

An existing 6-inch waterline is located within the existing right-of-way for Barwick Drive and a 10-inch sanitary sewer line and manhole is located within the 20 foot public easement to the northwest. The encroachment is approximately 2 feet by 16 feet and lies about 12 feet from the sewer line and 108 feet from the waterline.

The Utilities Authority objects to all encroachments on utility easements. However, if the applicant agrees to the following requirements with consent document filed of record on the property for the duration that the private improvements and the encroachment are in place, 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 improvements 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 improvements and/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.

Attachments: Map of Water and Sewer Infrastructure and Proposed Encroachment  
April 1, 2021 Consent to Encroachment No. 2021-9 Memo from City Clerk  
Brookhaven No. 10, Sewer Line A & B As-Built – Sheet 3

cc: Ken Danner  
Kathryn Walker  
Beth Muckala  
Sarah Encinias  
Chris Mattingly  
Nathan Madenwald  
Utilities Folder



