



Legislation Text

File #: E-1617-3, **Version:** 1

EASEMENT E-1617-3: CONSIDERATION OF ACCEPTANCE OF A PERMANENT UTILITY EASEMENT DONATED BY JAMES AND SUSAN MORRISON TO SERVE LOT 9, BLOCK 7, HALLBROOKE ADDITION, SECTION 2. (2119 BATES WAY)

BACKGROUND: The final plat for Hallbrooke Addition Section 2 was filed of record on October 31, 2005 with the Cleveland County Clerk. The plat is for a residential subdivision and the lots are Zoned R-1. This easement is located on Lot 9, Block 7 and is located on the north side of Bates Way, and west of 24th Ave. N.E. The property owners have submitted an easement for a sewer line within Lot 9.

DISCUSSION: Sanitary sewer lines and manholes were installed as part of the subdivision improvements with Hallbrooke Addition Section 2 in 2005. Hallbrooke Addition Section 1 was completed after Hallbrooke Addition Section 2 and the sanitary sewer from Hallbrooke Addition Section 1 passes through Hallbrooke Addition Section 2. This sanitary sewer line connection comes from Hallbrooke Addition Section 1 to the north and then along the property line between Lots 9 and 10, Block 7 Hallbrooke Addition Section 2. The additional 5' utility easements along the common property line of each lot for the connection were not accounted for on the Hallbrooke Addition Section 2 plat, so the separate dedication instruments are now required by City code. The additional easement along the common property line has been donated by the property owners. The City Attorney's Office has reviewed the easement as to form.

RECOMMENDATION: Based upon the above information, it is recommended that City Council accept Easement E-1617-3.