



Legislation Text

File #: E-1617-7, **Version:** 1

EASEMENT E-1617-7: CONSIDERATION OF ACCEPTANCE OF A PERMANENT UTILITY AND DRAINAGE EASEMENT DONATED BY XII STREET COMMONS TO SERVE EASTPARK CROSSING, SECTION 11, (160 12TH AVENUE N.E.)

BACKGROUND: The Preliminary Plat consisting of 7.14 acres for Eastpark Crossing Section II was approved by City Council on April 28, 2015. The Final Plat for the first section of Eastpark Crossing Section II, consisting of 0.65 acres, was approved by City Council on October 13, 2015 and was filed of record with the Cleveland County Clerk on September 12, 2016.

The property is zoned as PUD and is located on the west side of 12th Avenue NE and just north of Alameda Avenue. A new restaurant called Del Taco is being constructed on the property. The public infrastructure including water and sanitary sewer systems was constructed for the entire Preliminary Plat, which required off-site separate easement instruments for the acceptance of the public infrastructure. The property owners have submitted a public utility and drainage easement for franchise utilities and stormwater systems.

DISCUSSION: Public improvements were installed for the entire Preliminary Plat as part of the subdivision development for the first section of Eastpark Crossing Section II PUD. As a result, an additional separate instrument was needed to encompass the above mentioned utilities and drainage improvements off plat. The easement has been donated by the 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-1617-7.