



**INTER-OFFICE COMMUNICATION**  
REAL ESTATE DIVISION

TO: Honorable Mayor and Members  
of the City Commission

FROM: Michael L. Kurtz, General Manager

SUBJECT: Release of Easement

DATE: January 23, 2006

**APPROVED BY**  
**CITY COMMISSION**  
ON 1/23 20 06  
Blanca Odorne

**Executive Summary:**

Staff is requesting approval of a Release of Easement to Westchester, LLC.

**Recommendation:**

The City Commission: 1) approve the release of a public utility easement located in the 8000 block west of NW 43 Street; and 2) authorize the Mayor and Clerk of the Commission to execute the Release of Easement, substantially in the form on file, subject to approval by the City Attorney as to form and legality.

**Explanation:**

In February 2004, Arthur D. Weiss granted the City a public utility easement located in the 8000 block of NW 43<sup>rd</sup> Street. The property was proposed to be developed as the Krystle Pines subdivision. Since that time the property has been sold to another owner/developer and is now being developed as Westchester subdivision. The new owner of the property has changed the configuration of the proposed streets, lots and utility easement locations. Therefore, they have requested the City to grant a Release of the existing public utility easement.

Staff has reviewed this request for a Release of Easement and recommends the granting of the same. Any new easements that will be required to cover new utility facilities for service to the Westchester subdivision will either be dedicated to the City in the plats of the subdivision or covered in off-site easements as provided by the owner.

**Fiscal Impact:**

There is no fiscal impact to the City.

Prepared by: Ruth H. Davis  
Ruth H. Davis  
Utilities Administrative Services Director

Submitted by: Michael L. Kurtz  
Michael L. Kurtz, General Manager

MLK:RHD:AMM