



Legislation Details (With Text)

**File #:** 980979      **Version:** 0      **Name:** Easement to McGurn (NB)  
**Type:** Staff Recommendation      **Status:** Passed  
**File created:** 1/11/1999      **In control:** General Manager for Utilities  
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**Title:** Release of Easement to Kenneth and Linda McGurn  
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Date	Ver.	Action By	Action	Result
1/11/1999	0	City Commission	Approved as Recommended	Pass

Release of Easement to Kenneth and Linda McGurn (NB)  
On May 1, 1978 the City Commission adopted an Ordinance closing and reserving a perpetual easement over a portion of SE 2nd Street lying between SE 2nd Avenue and SE 2nd Place. Subsequently, the City Quit Claimed its interest to the Alachua County Abstract Company over the portion released, reserving unto itself a perpetual easement for public utilities and pedestrian traffic.

Recently, Kenneth R. and Linda C. McGurn purchased this property and are in the process of developing Union Street Station on the property located immediately to the west of this vacated right-of-way. To facilitate their development it will be necessary to release approximately seven feet of the easement located along the western edge of the City vacated right-of-way.

Upon the owner's request to release a portion of the easement it was discovered that essential underground electric facilities were located within the same area they were requesting to be released. After consulting with the owner, an agreement was reached to release the western seven feet of the City's easement upon the relocation of the existing underground electric facilities. It was further agreed that these utilities would be relocated approximately ten feet to the east at the owner's expense and upon the relocation staff would recommend that the western seven feet of the City's easement be released to accommodate the development.

The facilities have recently been relocated approximately ten feet to the east and are now located within the remaining portion of the City's easement. Therefore staff is recommending the City approve the partial release of easement.  
The City Commission: 1) approve the partial release of a perpetual easement; and 2) authorize the Mayor-Commissioner and Clerk of the Commission to execute the Partial Release of Easement, substantially in the form on file, subject to approval by the City Attorney.  
Prepared by: Patricia A. Moore, Administrative Services Director  
Submitted by: Michael L. Kurtz, General Manager