



## Legislation Details (With Text)

**File #:** 040877      **Version:** 0      **Name:** Partial Release of Easement (B)  
**Type:** Staff Recommendation      **Status:** Passed  
**File created:** 1/24/2005      **In control:** General Manager for Utilities  
**On agenda:**      **Final action:** 1/24/2005  
**Title:** Partial Release of Easement (B)  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. 040877\_200501241300.pdf

Date	Ver.	Action By	Action	Result
1/24/2005	0	City Commission	Approved as Recommended	Pass

### Partial Release of Easement (B)

On November 13, 1959, Shadowlawn Estates subdivision was created by the recording of a subdivision in the public records of Alachua County. In the documents creating the subdivision, a fifteen (15) foot wide public utility easement was created along the east side of Lot 13 of Shadowlawn Estates. In 1970 a home was built on Lot 13.

A recent survey of Lot 13 of Shadowlawn Estates (3510 NW 34 Place) revealed a 6.9' encroachment of the home into the public utility easement thereby creating a cloud on the title. The current owner has requested that the City release its interests in the easement only for the area of encroachment and has supplied a surveyor's legal description and sketch as necessary to do so.

Upon review of this request by staff, it was determined that no sanitary sewer or natural gas facilities exist within the portion of the easement requested for release and that existing electric and water facilities located in the easement would not be impacted by the requested partial release of easement. Staff is recommending approval of the request for the release of a portion of the public utility easement located on the east side of Lot 13 of Shadowlawn Estates subdivision.

The City Commission: 1) approve the partial release of a public utility easement; and 2) authorize the Mayor 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 as to form and legality.

Prepared by: Patricia A. Moore, Utilities Administrative Services Director

Submitted by: Michael L. Kurtz, General Manager