



Legislation Text

File #: 000406, **Version:** 0

Partial Release of Easement at 2106 NW 27th Terrace, Brywood Addition No. 1, Lot 33 (NB)

At the time Brywood Addition No. 1 was developed in 1964, a ten foot wide public utilities easement was dedicated along the north lot line, as well as a thirty-five foot wide public utilities easement along the west lot line of Lot 33. Prior to the recent sale of the property a survey was prepared by David D. Parrish Surveying, Inc. **The survey reflected a pool, pool deck, rock planter, and two story cabana encroaching into both of the platted easements. Clearing this cloud on the title was a condition of closing and the new owner's ability to acquire title insurance on the property.**

Gainesville Regional Utilities' (GRU) staff reviewed the matter of the encroachments and discovered that there was an existing overhead electric line within the area of the pool and pool deck encroachment. The owners were notified of GRU's findings and given several options to remedy the encroachments, one of which was to relocate and convert the overhead line for a cost of \$3000.00. In exchange, staff agreed to recommend to the City Commission that the City release its interests in the areas of encroachment in order to clear the clouds on the title. The owners have paid the required costs and the facilities have been relocated. Therefore, staff has no objections to the partial release of easement.

It should be noted that, if approved, the City of Gainesville would be releasing only its interests in these easements and that other public utility entities will each have to release their interests separately. The owners have been advised of this fact.

The City Commission: 1) approve the partial release of a platted public utilities easement to Alton R. and Gay L. Greninger; and 2) authorize the Mayor and Clerk of the Commission to execute the Partial Release of Easement, subject to approval by the City Attorney as to form and legality.

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Submitted by: Michael L. Kurtz, General Manager