



Legislation Text

File #: 000259, **Version:** 0

Partial Release of Easement at 4507 NW 32nd Avenue, Lot 49 of Benwood Estates (B)

At the time Benwood Estates was developed in 1972, a fifteen foot wide public utilities easement was dedicated along the rear lot line of Lot 49 via Plat Book "H", Page 76, filed in the Public Records of Alachua County, Florida. Subsequent to that time, a pool, and pool deck were built on the lot. The current property owner Helen Mamarchev, recently had a survey of her property prepared by Kris Ann Gath, Land Surveying & Mapping Services. The survey reveals that a portion of the pool and pool deck encroach into the platted public utilities easement. The property owner is desirous of clearing this cloud on the title and has requested that the City release its interest in the area of encroachment.

GRU staff has reviewed the owner's request for partial release of the platted public utilities easement and confirmed that no electric water, sewer, or natural gas utilities exist within the area of encroachment, and therefore has no objection to the release.

It should be noted that if approved, the City would be releasing only its interest in the easement, and that other public utility entities will each have to release their interests separately. The owner has been advised of this fact. The City Commission: 1) approve a partial release of a platted public utilities easement to Helen L. Mamarchev; 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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