



Legislation Text

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Amended Drainage Agreement and Easement (B)

In 1993, the City of Gainesville negotiated and entered into a Drainage Agreement and Perpetual Drainage Easement located on property owned by the Hauflers family in the 9700-9800 block of NW 39th Avenue. The document is recorded in the public records of Alachua County in Official Records Book 1898, page 577. The purpose of the agreement was to allow the City to drain storm waters from the GRU Springhill Service Center (3800 Blk NW 97th Blvd) onto a designated area of the Hauflers property. The original agreement allowed for a specific volume of 904 cubic yards of storm water to be drained from the GRU Springhill property. Alachua County also joined in the execution of the agreement to indicate its approval of the drainage plan.

The Hauflers would like to move the existing drainage area located on their property to a new location that provides for more flexibility in the management of stormwater and have requested the City to release their interests in the original Drainage Agreement and Perpetual Drainage Easement. The Hauflers are requesting the City to execute a First Amended Drainage Agreement, along with other individuals and parties who now also utilize this same drainage area. The First Amended Drainage Agreement addresses the details of the relocation of the drainage area and provides for the granting of a separate substitute easement in favor of the City of Gainesville, which will preserve the original rights granted and accommodate the identical volume of drainage specified in the original easement at an alternate stormwater basin site. The Hauflers will be responsible for managing the City's stormwater discharge and all construction and maintenance costs associated with the drainage improvements and changes within the Haufler property.

Staff has reviewed and recommends approval of this request.

The City Commission: 1) approve an amended drainage agreement to allow a change in location of an existing drainage easement currently located on property owned by Eugene B. Haufler, Trustee of the Eugene B. Haufler Revocable Trust, Oscar E. Haufler, Trustee of the Oscar E. Haufler Trust, and Ernest L. Haufler, Trustee of the Ernest L. Haufler Revocable Trust and Thirty-Ninth Avenue Limited Partnership, Ltd. (collectively the "Hauflers"); and 2) authorize the General Manager for Utilities to execute the First Amended Drainage Agreement, 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