



## Cover Memorandum/Staff Report

---

**File #:** 23-260

**Agenda Date:** 3/6/2023

**Item #:** 7.B.2.

---

**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Department  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** March 6, 2023

ACCEPTING A GENERAL UTILITY EASEMENT AGREEMENT AT 907 WITHERSPOON LANE, TOTALING APPROXIMATELY TWO HUNDRED AND TEN SQUARE FEET (270 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN.

**Recommended Action:**

Consider acceptance of a General Utility Easement Agreement between the owner of 907 Witherspoon Lane and the City of Delray Beach.

**Background:**

The owners have requested the abandonment of a portion of right-of-way (presented for simultaneous consideration as Res. No. 47-23) at 905, 907, and 909 Witherspoon Lane. The abandonment request has been reviewed by Engineering, and it has been determined that the abandonment will not result in the detriment for the provision of utility services, provided that a General Utility Easement is recorded to a 6-foot by 125-foot area of land at the north of the properties. As the abandonment is adjacent to three separate properties, an easement shall be created over each of the three properties by each individual property owner. This is the easement for 907 Witherspoon Lane.

**City Attorney Review:**

The General Utility Easement Agreement has been reviewed as to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

The General Utility Easement Agreement shall be recorded after the right-of-way abandonment.