



## Legislation Details (With Text)

**File #:** 17-868      **Version:** 1      **Name:**  
**Type:** Request      **Status:** Agenda Ready  
**File created:** 10/25/2017      **In control:** City Commission  
**On agenda:** 11/20/2017      **Final action:**  
**Title:** ACCEPTANCE OF UTILITY AND ACCESSWAY EASEMENT TO THE CITY OF DELRAY BEACH (CITY) FOR 1031 BAY STREET.  
**Sponsors:** Environmental Services Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Utility and Accessway Easement 1031 Bay St., 2. Exhibit A \_Legal Sketch and Description, 3. Survey 1031 Bay St., 4. Map Location 1031 Bay St., 5. PAPA Page 1031 Bay St.

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Deputy Director - Program and Project Management  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** November 20, 2017

ACCEPTANCE OF UTILITY AND ACCESSWAY EASEMENT TO THE CITY OF DELRAY BEACH (CITY) FOR 1031 BAY STREET.

### **Recommended Action:**

Motion to Approve and accept a five-foot Utility and Accessway Easement at 1031 Bay Street.

### **Background:**

In July 2017, the owners of 1031 Bay Street (Elizabeth and James Gondles) submitted building permit #16-164517 to construct a new single family residence to the City.

Upon engineering review of the submitted application, a city owned drainage structure (catch basin) and a portion of the city's asphalt roadway was determined to be on the applicant's property (per survey attached) without an existing easement. No curbing exists along the roadway. As part of an agreement with the applicant, a new five-foot easement has been established per sketch of description "Exhibit A".

Attachments provided:

- 1) Utility and Accessway Agreement
- 2) Exhibit A - Legal Description and Sketch

- 3) Survey 1031 Bay St.
- 4) Map Location 1031 Bay St.
- 5) PAPA Page 1031 Bay St.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

Finance recommends approval.

**Funding Source:**

N/A

**Timing of Request:**

The timing of this request is of high importance in order to process the residence C/O when completed.