



## Legislation Text

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File #: 22-1217, Version: 1

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**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Public Works Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** September 19, 2022

ITEM(S) A1 - ACCEPTANCE OF FIRE HYDRANT EASEMENT AGREEMENT BY 720 SW 2<sup>ND</sup> TERRACE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 501 NW 9<sup>TH</sup> STREET AND A RIGHT OF WAY DEDICATION BY 40 NW 9<sup>TH</sup> AVENUE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 342 SW 4<sup>TH</sup> AVE.

**Recommended Action:**

**Consideration of the following items:**

Item A1 - Motion to approve and accept a Fire Hydrant Easement Agreement by the owners of 720 SW 2<sup>nd</sup> Terrace.

Item B1 - Motion to approve and accept a Right of Way Dedication by the owners of 501 NW 9<sup>th</sup> Street

Item C1 - Motion to approve and accept a Right of Way Dedication by the owners of 40 NW 9<sup>th</sup> Ave.

Item D1 - Motion to approve and accept a Right of Way Dedication by the owners of 342 SW 4<sup>th</sup> Ave.

**Background:**

**Item A1**

Consider acceptance of a Fire Hydrant Easement Agreement located at 720 SW 2<sup>nd</sup> Terrace

The owner(s), Pulte Home Company, LLC., submitted building permit application #21-197598 on 6/09/21, for the subject property. During the application process it was determined that an easement would be needed to allow access to the fire hydrant on this property. As a result, an easement agreement was created.

There is no City cost now or in the future for these items.

**Item B1**

Consider acceptance of a Right of Way Dedication located at 501 NW 9<sup>th</sup> Street.

The owner(s), Anthony and Liana Byron submitted building permit application #20-1193387 on 11/17/20, for the subject property. During the application process it was determined that in accordance with LDR 5.3.1 (A) NW 9th St. has an ultimate right of way of 50ft, and the current setback is 12.5ft. As a result, a 12.5 ft right of way dedication was requested to satisfy the

requirement.

There is no City cost now or in the future for these items.

**Item C1**

Consider acceptance of a Right of Way Dedication located at 40 NW 9<sup>th</sup> Ave.

The owner(s), Allante Daniels, submitted building permit application #22-205870 on 8/01/22, for the subject property. During the application process it was determined that in accordance with LDR 5.3.1 (A) the alley in the rear of the property has an ultimate right of way of 20ft and is currently shown as 16ft. As a result, a 2ft right of way dedication was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

**Item D1**

Consider acceptance of a Right of Way Dedication located at 342 SW 4th Ave.

The owner(s), Developers Contractors Group Inc, submitted building permit application #22-203233 on 4/5/22, for the subject property. During the application process it was determined that in accordance with LDR 5.3.1 (A) the alley in the rear of the property has an ultimate right of way of 20ft and is currently shown as 16ft. As a result, a 2ft right of way dedication was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

The timing of these requests is of high importance in order to allow projects to continue construction.