



CITY COUNCIL COMMUNICATION

January 13, 2009

SUBJECT: For the vacation and abandonment a portion of a utility easement in The Landing at Eden Lake Addition.

SUBMITTED BY: Robert M. Barker, City Engineer

REFERENCE NO: Ordinance No. 1838

ACTION REQUESTED:

Consider First and Final Reading of Ordinance No. 1838 for the vacation and abandonment of five feet (5') of a 10-foot (10') utility easement located on Lot 10, Block A, The Landing at Eden Lake Addition.

ALTERNATIVES:

- Approve the request – *Simple Majority*
- Deny the request – *Simple Majority*
- Table the request – *Simple Majority*

SUMMARY OF SUBJECT:

With the filing of The Landing at Eden Lake Addition plat, a 10-foot utility easement was established along the southern property line of Lot 10, Block A.

The homeowner proposes to construct a swimming pool in the backyard that will encroach into the existing 10-foot utility easement. Therefore, the homeowner has requested that 5.0 feet of the utility easement be abandoned. All franchise utility companies have signed the abandonment forms indicating their concurrence.

Staff has reviewed the application along with attachments and recommends that this ordinance be approved.

SUPPORTING DOCUMENTS:

- Ordinance No. 1838
- Exhibit A
- Application for Vacation of Easement

APPROVED BY:

_____ **GM** _____ City Manager's Office

_____ **SC** _____ City Secretary's Office