



Legislation Details (With Text)

File #: 21-2036 **Version:** 1 **Name:**
Type: Consent **Status:** Agenda Ready
File created: 5/26/2021 **In control:** City Council Regular Meeting
On agenda: 6/14/2021 **Final action:**
Title: Resolution to Partially Abandon PWC Utility Easement - Hoke Loop Commons
Sponsors:
Indexes:
Code sections:
Attachments: 1. Abandonment Release of Easements - Hoke Loop (Revised 5.25.2021) (002), 2. Abandonment Plat2, 3. Hold Harmless, 4. City Council Resolution - Hoke Loop Commons Release, 5. City Council Resolution - Hoke Loop Commons Release

Date	Ver.	Action By	Action	Result
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TO: Mayor and Members of City Council

THRU: Elaina L. Ball, CEO/General Manager
Fayetteville Public Works Commission

FROM: Fayetteville Public Works Commission

DATE: June 14, 2021

RE:
Resolution to Partially Abandon PWC Utility Easement - Hoke Loop Commons

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:

Safe and Secure Community and Desirable Place to Live, Work and Recreate

Executive Summary:

The Owner/Developer of the subject property has submitted plans for development of a land tract located on Hoke Loop Road. This requires on site water and sanitary sewer utility extensions and the partial abandonment of a section of an existing sewer easement located on the property. The Owner/Developer has conveyed the necessary utility easement for the proposed on-site public water and sanitary sewer to the City of Fayetteville by and through the Fayetteville Public Works Commission (PWC) for operation and maintenance of these utilities by PWC. A section of an existing water & sanitary sewer easement will conflict with placement of proposed buildings and improvements and the Owner/Developer is requesting partial abandonment of the previously

conveyed easement be abandoned.

Background:

Easements for the existing sanitary sewer were conveyed by the previous property owner to the City in Deed Book 9582, Page 863 and Deed Book 9582, Page 873. The current Owner/Developer has granted the City of Fayetteville by and through the Fayetteville Public Works Commission, a blanket easement recorded in Deed Book 11061, Page 520 to accommodate proposed new on-site water and sanitary sewer extensions in accordance with plans reviewed and approved by PWC as shown on PWC Drawing DWS-15426. PWC has no objections to the partial abandonment and release of the sections identified as "To Be Abandoned" on the attached survey plat to be recorded once approved.

Issues/Analysis:

PWC has no objections to the partial abandonment and release of the easement section referenced and described herein.

Budget Impact:

N/A

Options:

1. Approve Resolution to Partial Abandonment of the Existing Easement
2. Deny the Resolution to Partial Abandonment of the Existing Easement

Recommended Action:

The Fayetteville Public Works Commission recommends the Fayetteville City Council approve the Resolution to Partial Abandonment of Existing Easement

Attachments:

Map, Drawing, Easement, City of Fayetteville Resolution