



## Legislation Text

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**File #:** 19-0024R, **Version:** 1

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RESOLUTION ACCEPTING PERMANENT UTILITY EASEMENT FROM J & S PARTNERSHIP, LLP OVER PROPERTY NEAR 44TH AVENUE WEST AT NO COST TO THE CITY.

**CITY PROPOSAL:**

RESOLVED, that the proper city officials are hereby authorized to accept a permanent utility easement, as more particularly described on the Utility Easement attached as Exhibit 1, from J & S Partnership, LLP, at no cost to the city, over the real property legally described and depicted on Exhibit A to Exhibit 1.

**STATEMENT OF PURPOSE:** This resolution authorizes the acceptance of a permanent utility easement from J & S Partnership, LLP, at no cost to the city, over property near 44th Avenue West between Grand Avenue and W. First Street.

In 2016, a private storm sewer connection was constructed to a public catch basin in or near 44th Avenue West, which pipe is not up to city standards. The current owner of the property agreed to replace the existing pipe to the City's specifications under a Memorandum of Understanding. The City will assume ownership of the stormwater pipe per the terms of the Memorandum of Understanding and with the acceptance of this easement.