



## Legislation Details (With Text)

**File #:** ID-20-1120    **Version:** 1    **Name:**  
**Type:** Resolution    **Status:** Passed  
**File created:** 10/23/2020    **In control:** City Council  
**On agenda:** 11/9/2020    **Final action:** 11/9/2020  
**Title:** Resolution - Utility Easement Vacation request (LV-20-000196) to Vacate 6-foot Utility and Drainage Easements along the Common Lot Line at 161 Channel Court, Marco Island, FL, 34145

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution 20-44, 2. Staff Report, 3. Application, 4. Survey and Site Plan, 5. Unity of Title, 6. Warranty Deeds, 7. Adjacent Property Owner Notification 151 and 190, 8. Utility Letters of No Objection

Date	Ver.	Action By	Action	Result
11/9/2020	1	City Council	Approved	Pass

Agenda Item: 11	Prepared By: Daniel J. Smith, AICP, Director
Business: Resolution	Department: Growth Management

**Subject:**

Resolution - Utility Easement Vacation request (LV-20-000196) to Vacate 6-foot Utility and Drainage Easements along the Common Lot Line at 161 Channel Court, Marco Island, FL, 34145

### BACKGROUND:

The request is to vacate the six-foot utility and drainage easements along each side of the common lot line of Lots 13 and 14. No other utility and drainage easements are being requested to be vacated.

### FUNDING SOURCE / FISCAL IMPACT: N / A

### RECOMMENDATION:

### PLANNING BOARD SUMMARY AND RECOMMENDATION

The Planning Board considered this request at their October 2, 2020 meeting. There was minimal discussion after which the Planning Board voted 6-0 to forward a recommendation of approval to the City Council.

Staff recommends the Planning Board approve this request contingent upon the below conditions:

1. The City receive Summit Broadband's letter of no objection prior to final action by City Council.
2. As required by the City of Marco Island Utilities, 8-feet of the original easement remain from

the back side of the sidewalk towards the seawall.

3. The Owner/Developer is solely responsible for any and all costs associated with this Drainage and Utility Easement vacation, included but not limited to the following:
- (1) Property Surveys;
  - (2) Professional design fees;
  - (3) Permit costs;
  - (4) Preparation and recording of new deeds and this resolution, including and attorney fees;
  - (5) Removal, replacing or relocation of any utilities (if applicable);
  - (6) Removal of existing ground cover;
  - (7) Fill, loam and seed; and
  - (8) Disposal of any and all construction debris including any and all infrastructure which may exist within the utility easement.

**POTENTIAL MOTION:**

“Move to approve Resolution 20-44 with the listed conditions.”