



Legislation Details (With Text)

**File #:** 17-0225      **Version:** 1      **Name:** Consent to Encroach Agreement with Big Diamond LLC  
**Type:** Agenda Item      **Status:** Approved  
**File created:** 3/29/2017      **In control:** Public Works  
**On agenda:** 4/11/2017      **Final action:** 4/11/2017  
**Title:** Consider and take action on a resolution authorizing an encroachment agreement with Big Diamond LLC for a monument sign within a City-owned 20-foot sanitary sewer easement at 1315 East League City Parkway (Director of Public Works)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Data Sheet, 2. Proposed Resolution, 3. Exhibit A - Consent to Encroach Agreement, 4. Site Plan, 5. Schematic of Proposed New Sign, 6. Aerial Map

Date	Ver.	Action By	Action	Result
4/11/2017	1	City Council	Approved	Pass

Consider and take action on a resolution authorizing an encroachment agreement with Big Diamond LLC for a monument sign within a City-owned 20-foot sanitary sewer easement at 1315 East League City Parkway (Director of Public Works)

Approval of this resolution authorizing an encroachment agreement that will allow Big Diamond LLC to construct a private monument sign within a City-owned 20-foot sanitary sewer easement located at 1315 East League City Parkway.

Big Diamond LLC (BDLLC), owner of Lot 2R of the Amending Plat of Tuscan Lakes Commercial, Section 9A, is developing the commercial property as an Express Oil Change commercial business. Big Diamond desires to construct a private monument sign at 1315 East League City Parkway within a City-owned 20-foot wide sanitary sewer easement that crosses Owner’s property, the 20-foot sanitary sewer easement being located southerly of, parallel with and contiguous with the southerly right-of-way line of East League City Parkway. The proposed monument sign will generally be centered within the City’s 20-foot sanitary sewer easement, approximately 105 feet westerly of the east property line of the commercial tract.

Prior to the construction or installation of the monument sign, BDLLC shall submit properly engineered plans to the City for review, approval, and permitting, and construction shall not occur until such plans have been approved. BDLLC will also have to provide letters of consent or no objection from any of the City’s franchised utilities that may also be occupying the easement.

The City, at its sole discretion, may terminate this agreement and may require any successor to signify in a recordable instrument acceptance of the terms and conditions of the agreement. Should such successor refuse, the rights and privileges consented to in the agreement shall automatically terminate. The City is not giving up any of its rights and BDLLC, or its successors, is responsible for any maintenance and repairs to the monument sign.

**Attachments:**

1. Data Sheet
2. Proposed Resolution
3. Exhibit A - Consent to Encroach Agreement
4. Site Plan
5. Schematic of proposed new sign

6. Aerial Map

CONTRACT ORIGINATION: Project Management Office - Approved by City Attorney

FUNDING:

{X} NOT APPLICABLE