



Legislation Details (With Text)

File #: 17-0226 **Version:** 1 **Name:** Consent to Encroach Agreement with CF LCTX LLC for Menu Board Sign

Type: Agenda Item **Status:** Approved

File created: 3/30/2017 **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 CF LCTX LLC for a menu board sign with canopy and electrical appurtenances within a City-owned 20-foot easement at 1640 West FM 646 (Director of Public Works)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Data Sheet, 2. Proposed Resolution, 3. Exhibit A - Encroachment Agreement, 4. Schematic Plans, 5. 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 CF LCTX LLC for a menu board sign with canopy and electrical appurtenances within a City-owned 20-foot easement at 1640 West FM 646 (Director of Public Works)

This resolution will authorize an encroachment agreement with CF LCTX LLC to construct a menu board sign with canopy and electrical appurtenances within a City-owned 20-foot easement located at 1640 West FM 646.

CF LCTX LLC, owner of Lot 13, Block 1, League City Retail Center subdivision, is the owner of the existing Chick-Fil-A restaurant located at 1640 West FM 646. The owner desires to construct an additional drive-thru lane and add a new menu board with canopy and electrical appurtenances (proposed encroachments) to accommodate the drive-thru customers. The proposed encroachments, subject to approval by the City, would be located within a City-owned 20-foot easement that crosses Owner's property, the 20-foot easement being located southeasterly of, parallel with and contiguous with the southeasterly right-of-way line of FM 646. The proposed monument sign will generally be centered within the City's 20-foot easement, approximately 155 feet southwest of Chick-Fil-A's northeast property line and 75 feet northeasterly of their southwest property line.

Prior to the construction or installation of the proposed encroachments, CF LCTX LLC shall submit engineer plans to the City for review, approval, and permitting, and construction shall not occur until such plans have been approved. CF LCTX LLC 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 CF LCTX LLC, or its successors, is responsible for any maintenance and repairs to the monument sign.

Attachments:

1. Data Sheet
2. Proposed Resolution
3. Exhibit A - Encroachment Agreement

4. Schematic Plans
5. Aerial Map

CONTRACT ORIGINATION: Agreement reviewed and approved by City Attorney's office

FUNDING

{X} NOT APPLICABLE