

INTERDEPARTMENT COMMUNICATION

DATE: March 16, 1979

TO: Mr. Kit B. Kiser, Director, Utilities & Operations
Mr. Wilburn C. Dibling, Jr., City Attorney

IN TURN

FROM: M. Craig Sluss, Manager, Water Department

Subject: Ten-Inch (10") Line Relocation, Bush Property

The proposed development of the subdivision, Spring Grove, Section 4, by Tempo Homes, Inc., on the Bush property east of Wolfe Creek, requires that a short segment of our Falling Creek 10-inch waterline, approximately 165 feet, must be relocated where it crosses proposed Lot 22. The relocation will consist of installing approximately 190 feet of 12-inch ductile iron with 45° bends as shown on the attached plan and profile for Section 4, Spring Grove. In my coordination with Buford Lumsden, letter attached, I was able to get them to align the development so that the 10-inch line coincided with property lines on the street, and this is the only lot that requires us to relocate our line to make it a lot that you can build on.

Per my letter to Buford Lumsden, Tempo Homes has drawn up a proposed agreement for the relocation of the waterline in which they agree to pay cost plus 20% and to provide the City of Roanoke Water Department a 15-foot-wide perpetual waterline easement through the Tempo Homes property purchased from the Bush estate. Our present easement, as granted by deed dated May 18, 1951, contains no width specification; therefore, this new easement will make the old easement stronger by specifying a width of 15 feet. This agreement also requires that, at the appropriate time, the City will vacate that portion of existing easement across Lot 22 in favor of receipt of a new 15-foot easement for the portion of the line relocated.

I am forwarding two copies of the proposed agreement for the relocation of the waterline which includes stipulations as indicated above. In that the City already has an easement across these lands, and this agreement merely specifies a width and provides a replacement easement for that portion vacated due to the relocation of our line, it is my humble opinion that this agreement does not need Council approval but only your approval, signature of the City Manager or Assistant and the determination of legal sufficiency by the City Attorney, and, at the appropriate time, the preparation by the City Attorney of an instrument releasing that portion of the easement from which the waterline has been relocated.

Thank you for your assistance in this matter, and if you have any questions, please feel free to contact me at Extension 2601.


MCS:ac

Attachments - 5