

North Pole Water Distribution System Expansion – August 16, 2017 – jfbennett

1. The project intends to use as much existing ROW capable of accommodating a water utility as possibly. These include dedicated streets, PUE, express easements, section line easements and DOT&PF ROW.
2. R&M's role was to identify the existing ROW that could be used for the alignments and then gaps in the existing ROW where new easements would have to be acquired. This was an iterative process with the design team and not guaranteed to be 100% accurate. Unlike a DOT acquisition project, no ROW mapping was developed. Also, title reports were typically only ordered for those parcels where a permanent easement was to be acquired or where we believed an in depth title search would reveal an existing easement.
3. Through this process, we identified 47 permanent easement parcels and 10 Temporary Construction Easements to be acquired.
4. As is often required in ROW analysis, a certain amount of risk is taken when what appears to be an existing easement has some ambiguity in the language that makes the scope of use unclear.

PUEs to be acquired were identified in the following areas due to limitations with the existing easements:

- a. Poodle Lane North of Ownby Road – Parcels 12 through 17 were subject to what appears to be private access easements. Utility placement within these easements was considered to be beyond the scope of the existing easement and requiring acquisition of a PUE.
- b. The south end of Keeney Road (Parcels 21-29) were subject to express road easements primarily established so that a FNSB road service area could be created. My interpretation of these types of express easements was that placement of a utility would be beyond the scope of the easement.
- c. Parcel 51 in Chaparral Subdivision adjoining Peridot Street has an ambiguity where the PUE along the southern border appears to terminate at a North-South power line easement. As placement of a utility within the power line easement would be beyond the scope, we established a PUE parcel.
- d. Parcels 38-40 at the Bradley Sky Ranch were identified as the previously existing section line easement had been vacated.
- e. Parcel 37 in Horseshoe Subdivision was identified because a previously existing PUE had been vacated.
- f. Parcel 31 in Sky ranch Subd (Plat 79-134) was identified where there existed a dedicated "50' easement for future road extension". Generally, a plat dedicated road ROW would be considered suitable for utility placement. However, at this time the road has not been constructed leaving a question as to whether it can be used for utilities at this time. This was likely an over conservative interpretation and if the offer had not already been made, we might have dropped the acquisition.

In some situations, ambiguities were decided in favor of an existing ROW suitable for utilities.

