

ORDINANCE NO. 04-09  
CITY OF SKY VALLEY  
AN ORDINANCE CONFIRMING THE RIGHT TO ENCROACH ON CITY  
MAINTAINED PROPERTY

Whereas, Rivera Condominium Association, Inc. owns certain property and utilizes a septic system adjacent to a road maintained and used for public purposes by the City of Sky Valley; and,

Whereas, Rivera Condominium Association wants to plan for the contingency of extending a drain field as a part of its septic system; and,

Whereas, the City of Sky Valley finds and believes it to be in the best interest of the City of Sky Valley to permit an encroachment by the Rivera Condominium Association, Inc. under and across Berkshire Lane, a street maintained and used by the City of Sky Valley,

Therefore, the Council of the City of Sky Valley hereby ordains the following:

1.

The City of Sky Valley grants a permanent encroachment across and under Berkshire Lane and surrounding property the City maintains to provide the Rivera Condominium Association, Inc. the ability to extend a drain line as a part of its septic system. A condition precedent of this grant is that Rivera Condominium Association, Inc. will notify the City of Sky Valley in advance of its proposed encroachment across and under Berkshire Lane and will provide engineering drawings of the location of extension of the drain field line.

2.

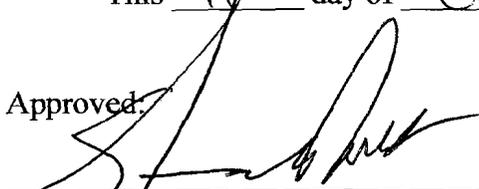
As a further condition of this ordinance, Rivera Condominium Association, Inc. will be responsible for all cost of installation of the line for the drain field and any and all cost for septic improvements. The Rivera Condominium Association, Inc. will agree to return the street to the condition existing prior to any encroachment by the Rivera Condominium Association, Inc.

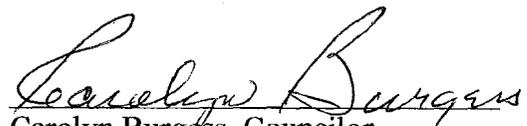
3.

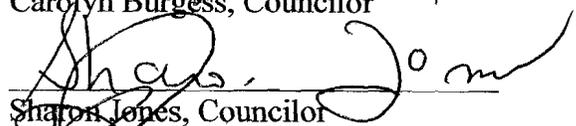
In approving this ordinance, the City of Sky Valley understands that it will be required to reroute its water service for the Rivera Condominium Association, Inc. and agrees by this ordinance to reroute its delivery of water service to the Rivera Condominium Association, Inc. at such time as the Rivera Condominium Association, Inc. extends its line for a drain field as a part of its privately owned septic system.

This 11<sup>th</sup> day of October, 2004.

Approved:

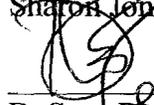
  
Steve Brett, Mayor

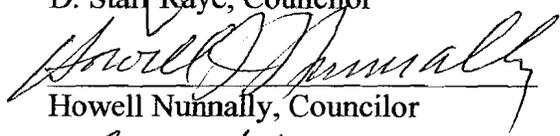
  
Carolyn Burgess, Councilor

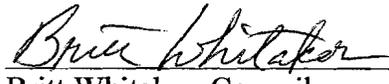
  
Sharon Jones, Councilor

Attest:

  
Linda Wells, City Clerk

  
D. Starr Kaye, Councilor

  
Howell Nunnally, Councilor

  
Britt Whitaker, Councilor

Read and introduced on the 13<sup>th</sup> day of September 2004.  
Adopted on the 11<sup>th</sup> day of October, 2004.