

MEMO



TO: Mayor Hahs and Members of the Board of Aldermen

FROM: Larry Miller, Building & Planning Manager

DATE: January 17, 2025

SUBJECT: Memorandum of understanding for a retaining wall in the Kate Street public right of way at 303 North Georgia Street

- Lori Evans' property is located at the corner of N Georgia Street and Kate Street. A fallen tree damaged the retaining wall that was previously in place on Kate Street.
- Lori rebuilt the retaining wall without obtaining a permit, and the wall was placed within the city's right-of-way.
- Lori has since obtained a permit for the retaining wall. However, an MOU is required to allow the retaining wall to remain in the city's right-of-way.
- The MOU outlines the following key terms:
 - The city grants a limited right for the retaining wall to remain in the right-of-way but reserves the right to require its removal for utility, roadway, sidewalk, or other city needs.
 - Lori Evans acknowledges that the retaining wall may need to be removed at her cost within 30 days of written notice from the city.
 - The city assumes no liability for the retaining wall and will not be responsible for maintenance or damage caused by city projects.
 - The agreement does not constitute an abandonment of the public right-of-way.
- The signed MOU will be presented to the Board of Aldermen for approval at the February 3rd meeting.