

**RESOLUTION NO. 2024-08**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING ITS EASEMENT PROTOCOL POLICY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on June 1, 2021, Town Council adopted a policy establishing easement protocol for obtaining and approving multi-use trail, roadway, drainage and utility easements throughout the Town; and

**WHEREAS**, Town Council desires to update its policy; and

**WHEREAS**, the Town Council has determined that the easement protocol policy serves a valid public purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THAT:**

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution; and

**Section 2.** The Town Council of the Town of Loxahatchee Groves hereby adopts the amended easement protocol policy attached hereto as Exhibit "A".

**Section 3.** This Resolution shall become effective immediately upon its passage and adoption.

Councilmember Shorr offered the foregoing Resolution. Councilmember Danowski seconded the Motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
LAURA DANOWSKI, MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT SHORR, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MARIANNE MILES, COUNCIL MEMBER

PHILLIS MANIGLIA, COUNCIL MEMBER

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE  
GROVES, FLORIDA, THIS 16 DAY OF February 2024.

TOWN OF LOXAHATCHEE GROVES,  
FLORIDA

ATTEST:

Valeri Dabos  
Town Clerk

Laura J. Danowski  
Mayor Laura Danowski

Robert Shorr  
Vice Mayor Robert Shorr

APPROVED AS TO LEGAL FORM:

[Signature]  
Office of the Town Attorney

Margaret Herzog  
Councilmember Margaret Herzog

Marianne Miles  
Councilmember Marianne Miles

Phyllis Maniglia  
Councilmember Phillis Maniglia



155 F Road Loxahatchee Groves, FL 33470

### **Easement (Multi-Use Trail/Roadway Drainage & Utility) Protocols**

1. The Town is seeking, and may request from property owners within the Town, the following:
  - a. Easements for additional right-of-way outside the currently maintained roadway “footprint” to be used for roadway, drainage, and/or utility purposes. Such Easements will be addressed on a case-by-case basis in relation to a proposed project.
  - b. Easements for multi-use trails.
2. The Town’s Public Works Director is responsible for obtaining, perfecting, requesting approval, and recording Easements to the Town.
3. The Town’s Public Works Director may procure the services of a surveyor for preparation of sketches and legal descriptions in accordance with the Town’s purchasing code and manual.
4. The Town’s Public Works Director will work with the Town Attorney to revise any Easement documents as necessary.
5. In addition to the Town’s Public Works Director, Town Administration, Town Engineer and Town Lobbyist may request Easements for Town purposes as described in this protocol.
6. The Town’s Public Works Director, Town Administration, Town Engineer and/or Town Attorney will prepare for consideration by the Town Council any variance to the terms of an Easement.
7. All Easements must be approved by the Town Council prior to recording with the exception of temporary and/or construction easements. The Council may also approve in advance a single or list of multiple locations for which staff should seek to obtain and record easements.
8. Easements must be collected prior to the Town beginning any work within the Easement, unless directed by the Town Manager.