



MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Work Session Agenda

From: William L. M. Nary, City Attorney/Risk Manager **Meeting Date:** March 5, 2024
Topic: Millwood Subdivision – Emergency Access License Agreement

Recommended Council Action:

Approve the attached Emergency Access License Agreement concerning the Millwood Subdivision.

Background:

Section 5.1(e) of the existing Development Agreement for the Millwood Subdivision reads as follows: "The Developer shall install fire sprinklers in all homes within the subdivision, *except* for the existing home; *or*, with submittal of the final plat application, submit written documentation that demonstrates the existing access easement via E. Victory Road across the DeChambeau property (Parcel #S1129120742) may be used for emergency access only for the development – in this case, fire sprinklers are not required for any of the units."

The Developer, Epic Development Victory, LLC, has submitted written documentation demonstrating that the existing access easement may be used for emergency access. Additionally, the Developer has agreed to grant a license to the City for that purpose.

Attachment: Emergency Access License Agreement