

This brief is being provided to inform the Board, staff and public of the details of an agenda item that requires action from the Board. The President of the Board will provide board members, staff, and the public the opportunity to ask questions about this topic when this agenda item is announced.

**Date:** November 1, 2021

**Originator:** Cary Curtis and Kim Seney

**Purpose:** From time to time, it is determined that Easements granted to the District for purpose of water, sewer or fire operations are no longer needed. This Policy will enable a process for formally relinquishing easements that have been granted to the District.

**Desired Action by the Board:** First reading by the board of Policy #2230 pertaining to Easement Abandonment. The board may choose to waive the second reading and adopt recommendation as presented.

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1. **Description:** This Policy will allow the District to suspend easements for property for which it has secured an easement when it is no longer needed. As operations evolve, the need for easements may also change. If an easement is no longer needed, the District General Manager may recommend to the Board that the easement be abandoned. A Resolution to suspend an easement passed by the Board shall subsequently be communicated to the property owner.
2. **Reason for Recommended Board Action - (*Consider compliance, cost savings, fixing a problem*):** It is a best practice to only maintain easements were necessary to conduct district business. By suspending easements, we can unencumber both the property owner and the District from the burden of an easement.
3. **Anticipated Impacts to the District (negative and/or positive) - (*Consider financial impact, change in procedures, customer and staff communication and effect if recommendations are not adopted*):** No significant impact.
4. **Anticipated Impacts to the Customer – *Standby, Residential, Commercial*:** For those customers or entities that have provided easement to the District on private property, this Policy will benefit them when the easement is no longer necessary. Suspending the easement removes encumbrance on their property.

5. **Recommendation (s):** Review, Discuss, Waive 2<sup>nd</sup> reading and adopt the new GM CSD Policy #2230 Easement Abandonment.
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# **Gold Mountain Community Services District**

## **POLICY HANDBOOK**

### **D-R-A-F-T**

**POLICY TITLE:** Easement Abandonment

**POLICY NUMBER:** 2230

**2230.1** Abandonment by the District of its interest in public utility easements and other easements dedicated to the District for installation, maintenance, repair, etc., of facilities, shall require approval of the Board of Directors.

**2230.2** Commitments to abandon easements or assurances that easements will be abandoned may be provided by staff only after approval of same by the Board of Directors.

**2230.2.1** Abandonment of easements shall be accomplished by the Board of Directors by adoption of a resolution.

**2230.2.2** District staff will notify the easement grantee in writing of the intent to abandon the easement within 5 working days of the date of the abandonment resolution.