

Property Utilization Guide



Gainesville Regional Utilities
Real Estate Division
Post Office Box 147117
Gainesville, FL 32614-7117
(352)334-3400 ext. 1221

TABLE OF CONTENTS

Introduction.....	1
Definition of GRU Property	1
General Information	2
Guidelines	2
Short and Intermediate Uses	5
Ingress/Egress Easements	6
Application Instructions	7
Where to Apply	8
Fee Schedule	9
Application	10

Introduction

The City of Gainesville's Utility System, Gainesville Regional Utilities ("GRU"), receives many requests from land owners, adjoining property owners, other governmental agencies, and private utility companies to utilize its transmission line corridors, and other City of Gainesville owned utility system property ("GRU property"). Requested uses include, among others, ingress/egress, parking, temporary storage, and utility extensions.

This guideline provides applicants with guidance in making use of GRU property for purposes compatible with its facilities, and also includes direction for submitting scaled drawings with the Application for GRU Property Utilization.

GRU has a Property Utilization Committee consisting of representatives from its Real Estate, Energy Delivery, Energy Supply, GRUCom, Water/Wastewater and Legal Services departments. This Committee reviews all applications for GRU property utilization and recommends approval or denial.

Types of GRU Property

GRU acquires property rights for specific utility purposes. Property rights acquired are either fee-owned or easement rights.

NOTE: For purposes of this document, GRU Property refers only to property OWNED in fee by the City of Gainesville for utility system use.

A. Fee-Owned Property:

Land that the City of Gainesville holds fee title to. The City of Gainesville utility system owns utility corridors, lift station sites, substation sites, communication and water tower sites, electric generating station sites, water and wastewater treatment plants, gate stations, and its business office sites. GRU may grant permits, easements, or agreements for uses compatible with these sites, the surrounding area, existing and/or future utilities or facilities located there, provided applicable land use regulations permit such uses. Fees assessed for the utilization of utility property provide a mechanism for recovering the costs associated with review, research and approval of utilization requests that are for the benefit of the applicant. Long term or perpetual uses also have an additional fee assessed based on the market value and size of the utilized area, and the intensity of proposed use, as outlined in the attached Fee Schedule.

B. Easement Areas:

In easement areas, the City does not hold title, but has acquired non-exclusive specific rights from the underlying property owner, to construct, operate and maintain specific utility facilities. The

underlying property owner may have certain rights defined in the original grant of easement. Other uses may be permitted with the property owner's permission, except that they may not impair GRU's ability to utilize the easement area according to the easement rights granted. The City cannot grant permits, easements, or agreements for compatible uses at these sites.

General Information

GRU generally acquires two types of property; property acquired for office and/or plant facilities, and property acquired for the construction, operation and maintenance of various utility facilities needed to serve its customers.

Property acquired for the construction, operation and maintenance of various utilities must remain clear of any obstructions at all times in order to safely operate and maintain facilities located there and provide for future facility construction.

Ensuring the safety of the public and the utility facilities as well as preserving the land rights that have been acquired for the benefit of the public, are the primary objectives of these guidelines.

Upon committee approval or denial of the utilization, the Real Estate Division will issue a Permit, License, or Easement for the Applicant's review and signature, or notify the applicant of the denial and reasons for denying the request. If the use is approved, subsequent to the review process the document will be signed by GRU.

A final document will be sent to the applicant for execution by the applicant or authorized officer of the Corporation, Partnership, L.L.C. or Ltd. Partnership (proof of such authority required) that will outline in detail the necessary terms, safety requirements, specifications and fees for any approved utilization.

Guidelines

The guidelines presented below should be used in planning any project and should not be construed as permission to utilize GRU Property without proper written agreements. The guidelines presented may not apply to all situations. GRU may impose additional requirements or modify these requirements, depending on the proposed use and location.

1. Landscaping and shrubbery planted on GRU Property must not exceed twelve (12) feet in height at maturity. Trees of any species are not permitted within a transmission or distribution corridor. Vegetation deemed a risk to GRU facilities or to be in conflict with GRU's operation, maintenance or construction of facilities shall be removed. Any vegetation planted on GRU

Property must not prevent GRU vehicle access for repair, maintenance or construction. Generally, no vegetation will be permitted within fifteen (15) feet of any existing or proposed utility facility, unless it is of the type and size that does not interfere with the utility facility.

2. Any excavation is prohibited within thirty (30) feet of any single wood pole or guying structure, within fifty (50) feet of any steel or concrete tower or pole, and within (10) feet of any other existing or proposed utility facility. This clearance is required for emergency repair and/or routine maintenance of these structures.
3. A level thirty (30) foot wide access road must be maintained at all times along the length of a utility transmission and/or distribution corridor and to each above ground or electric transmission/distribution structure for GRU routine maintenance and/or emergency repairs. This maintenance road must be clear for vehicle access with no planted shrubs, vegetation, or other obstacles.
4. The installation of storm water retention ponds is customarily not permitted on GRU Property. Installations of storm water pipes, drains, inlets and/or swales which cross GRU Property may be permitted provided that such improvements do not adversely impact operation, maintenance, repair or future construction of utility facilities. Eighteen (18) inches of vertical clearance must be maintained between existing underground water and wastewater utilities. Thirty-six (36) inches of vertical clearance must be maintained between existing underground electric, natural gas and telecommunications utilities.

Forty-two (42) inches of cover must be maintained over existing electric, natural gas and telecommunications utilities. Thirty-six (36) inches of cover must be maintained over existing water, wastewater, and reclaimed water utilities. Installations below existing underground facilities will require special approval and may also require shoring and bracing during construction to protect the structural integrity of GRU facilities.

5. Road or driveway crossing areas constructed of asphalt, concrete, limerock or stabilized soil, may be permitted if a distance of thirty (30) feet from any wood pole or guying structure, fifty (50) feet from any above ground steel or concrete structure, and ten (10) feet from any fire hydrant, valve, manhole, electric switchgear, transformer, and junction box is maintained between the structure and/or utility facility and the edge of pavement, curb, driveway, road or parking surface.

Parking areas may be permitted if, in the sole discretion of GRU, such parking areas will not unreasonably interfere with GRU's use of the affected lands. Permitted driveways and parking areas are subject to removal by GRU for the operation, maintenance, repair, and/or installation of utility facilities.

GRU may require the installation of conduits to allow for future utility extensions by GRU in conjunction with the construction of a road, driveway crossing, and/or parking area.

Permittee will be responsible for any restoration required to their permitted driveway or access road as a result of GRU's use of the property for the installation, operation or maintenance of its utility facilities, unless otherwise agreed to in writing by both parties.

6. Changes to ground elevations shall not result in less than the minimum cover as required by GRU's construction and design standards. Changes in ground elevations shall not adversely alter the existing drainage characteristics of GRU Property.

Permittee will be responsible for the installation and maintenance of erosion and sediment control facilities as required under any jurisdictional agency regulations including but not limited to the Florida Department of Environmental Protection. Proof of said compliance in a form satisfactory to GRU is a condition of any permit issued hereunder.

7. Underground utilities and structures requiring less than a four (4) foot deep ditch are required to maintain a fifteen (15) foot horizontal clearance from GRU structures, ten (10) feet from existing water mains, wastewater force mains, reclaimed water mains, underground electric, natural gas and telecommunications utility facilities, and fifteen (15) feet from existing gravity sewer mains. The greater the depth and pipe diameter of GRU's existing facilities the further the horizontal distance required. Exceptions may be granted on a case by case basis with prior GRU approval.

The adjustment and/or relocation of permitted improvements may be required, at permittee's expense if it is determined by GRU that the permitted improvements conflict with GRU's operation, maintenance and/or construction of existing or proposed utility facilities.

8. Any barriers, including fences, across GRU Property require a minimum of one gate, approximately sixteen (16) feet in width, at each barrier placed on GRU Property. Barriers shall be grounded per code and shall not exceed six (6) feet in height. A GRU

system lock will be required on all gates in order to allow GRU access at all times.

9. Poles and light fixtures are not permitted unless expressly approved in advance by GRU.
10. Permanent buildings or above ground structures, including masonry structures, are not permitted on GRU Property, unless expressly approved in advance by GRU.
11. The permittee will be required to restore approved utilization areas to as close to the original condition as possible, by grading, removal of trash, debris and rocks, re-sodding or seeding, mulching and landscaping in accordance with FDOT standards and as may be specified by GRU's special conditions of approval.

GRU may, as a condition for the granting of the requested use, require assurance of payment of the costs of restoration (estimated by GRU). Such assurance may, at the election of GRU, be in the form of an irrevocable letter of credit, surety bond issued by a surety company authorized to do business in the Florida, or cash deposit.

12. The permittee will be responsible for ensuring that any plantings and/or landscaping materials approved by GRU are kept watered and maintained so that they are healthy and vigorous and that all planting areas and beds are kept free of weeds and undesirable plant growth. Permittee will also be responsible for the replacement of any landscape materials not maintained as stated above.
13. The permittee will be responsible for obtaining utility line locations prior to any permitted construction activity on GRU Property.

Approval by GRU to utilize its property does not relieve the applicant from obtaining approvals and/or permits as may be required by other federal, state, or local regulatory agencies.

Short and Intermediate Uses

Often requests are received to use GRU Property for access to abutting property for activities including, but not limited to, special event parking, logging operations and construction access. Temporary Use Permits may be issued for these types of uses.

Applicants must submit a completed Property Utilization Application, the appropriate application fee and a map clearly and concisely depicting the area to be utilized.

All applicants must agree to restore the property to its original condition, within 72 hours of expiration of the permit or the completion of said operation, whichever is earlier.

Further, applicants must supply GRU with a certificate of insurance demonstrating adequate general liability and auto liability coverage for the proposed operation by either the applicant or its subcontractor performing said operation.

Additional requirements including a damage deposit may be required by GRU upon approval of the application.

Ingress/Egress Easements

When applying for an Ingress/Egress Easement, applicants must adhere to all Guidelines as previously outlined. Upon approval of the Ingress/Egress Easement, the Applicant will be required to provide a legal description and sketch of the easement area, prepared by a registered land surveyor for attachment to the easement document.

Application Instructions

Complete all required sections of the application form.

Attach two (2) drawings, which include the following:

- A general location map
- A detailed description of the proposed activity
- An 11 x 17 or 8 ½ x 14 size scaled drawing including:
 1. All existing structures and/or utilities (underground and overhead),
 - Clearly labeled and dimensioned including the limits of GRU Property
 - Including pipelines, conduits, cable, manholes, valves, fire hydrants, poles, guys
 2. The location of proposed installations on GRU Property
 - Clearly labeled and dimensioned from the limits of GRU Property
 - Plan View and Typical Cross Section(s)
 3. Total length of overhead or underground installations,
 4. Method of installation of underground lines,
 5. Jack and Bores or Directional Bores, indicating
 - Casing size, type, and depth
 - Cross section of bore
 6. Pavement and/or driveway width if applicable, showing
 - Existing and proposed elevations, contours
 - Pavement grades
 - Pavement material
 - Typical pavement cross-section
 - Base and Sub-base material and depth
 7. Landscaping – location, size, and type of vegetation
 8. Storm water facilities – size, type, material, top and invert elevations
 9. Location and description of area to be used for other activities
 10. Boundaries of ingress/egress easements
 11. Specify method of ground restoration (sod or seed and mulch)
 12. Copy of approval and/or permit required by other regulatory agencies.
 13. Any other data to assist the processing of the application

Failure to include any requested information may cause the application to be returned for further information prior to consideration.

Research, field checks, preliminary approval and document preparation normally take approximately forty-five (45) days for completion. Delays in processing time can be avoided by submitting a completed application.

Where to Apply

Forward the completed application and drawings to the address shown below:

Gainesville Regional Utilities
Real Estate Division (A130)
Post Office Box 147117
301 SE 4th Avenue
Gainesville Florida 32614-7117

If technical assistance is needed prior to the submittal of the application, please contact the Real Estate Division at (352)334-3400 ext. 1221.

FEE SCHEDULE FOR PROPERTY UTILIZATION

Utility Crossings and Extensions

\$315 Application Processing Fee

Short Term Uses (Special Event Activities) - those uses not exceeding 7 days

\$70 Application Processing Fee

Intermediate Uses – those uses exceeding 7 days but less than 1 year, including construction/logging access

\$350 application Processing Fee
+30% of the fair value per year prorated and applied according to the length of use

Long Term Uses - uses 1 year or more

\$420 Application Processing Fee
+ 30% of the fair market value for each year of use

Renewal Application Fee for Long Term Uses:

\$190 Application Processing Fee
+ adjustment of previous years fee based on increase of fair market value or current CPI, which ever is greater.

NOTE: Any change in intensity or use will be considered a new application.

Ingress/Egress Easements

\$350 Application Processing Fee
+ one-time fee assessed as follows

Residential:

dirt or limerock residential driveway or access road -
30% of fair market value of easement area
paved, landscaped and/or irrigated residential driveway or
access road serving a single residence -
60% of fair market value of easement area

Commercial:

access road or driveway for commercial development or a
residential subdivision
90% of fair market value of easement area

Agricultural Uses

\$420 Application Processing Fee
+\$100 per acre of use per year increasing every fifth year by 10%

NOTES:

1. *On the first day of every January, beginning January 2006, the Application Processing Fee for GRU Property Utilization shall be adjusted in proportion to the cumulative change in the latest published Consumer Price Index. "Consumer Price Index" shall mean the Consumer Price Index for All Urban Consumers, All items, U.S. City Average, 1982-84=100, (U.S. Department of Labor, Bureau of Labor Statistics). If the said Index ceases to be published, then a reasonably comparable index shall be used.*
2. *Fair Value is defined as the "Fair Value" published by the Property Appraiser of the County in which the property lies.*
3. *Fair Market Value is defined as the value of an asset if it were to be sold in an arms-length transaction between a willing buyer and a willing seller as determined by all relevant facts and evidence affecting marketability.*

Return to:
Gainesville Regional Utilities
Real Estate Division
P.O. Box 147117
Gainesville FL 32614-7117

GRU Application No. _____

Date Received _____

Application Fee Amount _____

APPLICATION FOR PROPERTY UTILIZATION

Applicant (Individual or firm to be named in the Agreement Document)

Applicant's Telephone

Applicant's Address

City

State

Zip

Applicant's Representative – if applicable

Telephone

Detailed Description of Proposed Use:

Location of Proposed Use:

Section _____ Township _____ Range _____

Address: _____

ATTACHMENTS (Must be Included)

- General Location Map
- 11 x 17 or 8 ½ x 14 scaled drawing as prescribed in Property Utilization Guideline
- Application Fee made payable to Gainesville Regional Utilities
(See Back for detailed instructions)

Applicant declares that prior to filing this application it has ascertained the location of all existing utilities, both aerial and underground and has illustrated said locations on the attached drawing.

Applicant further certifies that proper zoning approval and/or permits from the appropriate regulatory agencies having jurisdiction over the proposed utilization have been obtained. If it is subsequently discovered that said approval has not been obtained, this application and approval by GRU may be subject to termination.

Applicant Signature

Date

Application Instructions

Complete all required sections of the application form.

Attach two (2) drawings, which include the following:

- A general location map
- A detailed description of the proposed activity
- An 11 x 17 or 8 ½ x 14 size scaled drawing including:
 1. All existing structures and/or utilities (underground and overhead),
 - Clearly labeled and dimensioned including the limits of GRU Property
 - Including pipelines, conduits, cable, manholes, valves, fire hydrants, poles, guys
 2. The location of proposed installations on GRU Property
 - Clearly labeled and dimensioned from the limits of GRU Property
 - Plan View and Typical Cross Section(s)
 3. Total length of overhead or underground installations,
 4. Method of installation of underground lines,
 5. Jack and Bores or Directional Bores, indicating
 - Casing size, type, and depth
 - Cross section of bore
 6. Pavement and/or driveway width if applicable, showing
 - Existing and proposed elevations, contours
 - Pavement grades
 - Pavement material
 - Typical pavement cross-section
 - Base and Sub-base material and depth
 7. Landscaping – location, size, and type of vegetation
 8. Storm water facilities – size, type, material, top and invert elevations
 9. Location and description of area to be used for other activities
 10. Boundaries of ingress/egress easements
 11. Specify method of ground restoration (sod or seed and mulch)
 12. Copy of approval and/or permit required by other regulatory agencies.
 13. Any other data to assist the processing of the application

Failure to include any requested information may cause the application to be returned for further information prior to consideration.

Research, field checks, preliminary approval and document preparation normally take approximately forty-five (45) days for completion. Delays in processing time can be avoided by submitting a completed application.

Where to Apply

Forward the completed application and drawings to the address shown below:

Gainesville Regional Utilities
Real Estate Division (A130)
Post Office Box 147117
301 SE 4th Avenue
Gainesville Florida 32614-7117

If technical assistance is needed prior to the submittal of the application, please contact the Real Estate Division at (352)334-3400 ext. 1221.