

COUNCIL ACTION FORM

SUBJECT: PUBLIC UTILITY EASEMENT VACATION – 4118 APLIN ROAD

BACKGROUND:

In fall 2012, staff was contacted by the property owner at 4118 Aplin Road regarding the proposed construction of a garage on the property. The property currently has a 10 foot public utility easement along the south property line that limits the size and location of the new garage. The property owner requested that the easement be vacated to accommodate the construction.

Public Works staff contacted all registered right-of-way users to determine the extent of the utilities in the immediate area and has received responses back from all users. There is one known utility in this easement area; however, the utility is located within the southern five feet of the current easement. This utility owner has stated that in order to accommodate the garage construction, the southern five feet of the existing easement will be sufficient for their utility. The remaining utility owners do not have plans to be in the remaining easement.

The attached map provides more information on the affected area.

ALTERNATIVES:

1. Approve the proposal to vacate the north five feet of the existing easement at 4118 Aplin Road, and set the date of public hearing for April 23, 2013.
2. Direct staff or the property owner to pursue other options.

MANAGER'S RECOMMENDED ACTION:

Only the southern five feet of the existing easement is needed for utility lines. By approving vacation of the northern five feet, the property owner will be able to improve the property by building the garage in 2013.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the vacation of the north five feet of the existing public utility easement, and setting the date of public hearing for April 23, 2013.

