Item # 42 Old CAF ITEM # \_<u>\_20\_</u> DATE: 04-12-16

## COUNCIL ACTION FORM

## SUBJECT: PUBLIC UTILITY EASEMENT VACATION – 108 SOUTH FIFTH STREET

#### BACKGROUND:

In February of 2016 staff received a request from the developer of the property at 108 South 5<sup>th</sup> Street to vacate an existing public utility easement. This property is currently in the development process, and the new building will be in conflict with the existing easement the runs through the property.

Public Works staff contacted all registered right-of-way users to determine the extent of utilities in the immediate area. Responses from all right-of-way users indicate that there are no current utilities in the easement area and no future plans to utilize the easement area. A map of the area is shown in Attachment A.

### ALTERNATIVES:

- 1. Set a date of public hearing for April 26, 2016 to approve vacation of the public utility easement at 108 South 5<sup>th</sup> Street.
- 2. Do not set the date of public hearing to vacate the existing easement.

### MANAGER'S RECOMMENDED ACTION:

There are no current or future planned facilities within this easement. Setting the date of hearing is the first step toward completion of this process and will allow the proposed redevelopment on this site to continue to move forward.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

# Attachment A





108 South 5th Street Easement Vacation Request



Scale: 1 in = 100 ft Date: 4/3/2016