

COUNCIL ACTION FORM

SUBJECT: VACATION OF UTILITY EASEMENTS – STREETS OF NORTH GRAND

BACKGROUND:

North Grand Mall is currently moving forward with the improvements identified on the adaptive reuse plan approved by the City Council in January, 2012. That plan differed from the original plan approved in 2007. Because the new buildings proposed in 2007 are not now being constructed, a number of easements that were created in that plat are no longer needed. The City Council, in December, 2012, approved a new plat to create a separate lot for the proposed Kohl's building. In order to clear title issues prior to closing, GK Development, the owner of the mall, is requesting the vacation of these unneeded easements.

Staff has reviewed the easement locations and verified that the vacation of these easements would have no impact on public utilities as the lot is served by other easements.

ALTERNATIVES:

1. Set January 22, 2013 as the date of the public hearing and action on a resolution to approve the vacation of the subject easements.
2. Do not set a public hearing for the vacation of the easements.

MANAGER'S RECOMMENDED ACTION:

In order to accommodate the expected sale of the Lot 1 of Streets of North Grand, Plat 2, these easements are proposed to be vacated. Staff has determined that these easements are redundant and will have no impact on providing services to the site.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative 1, thereby setting January 22, 2013 as the date of the public hearing and action to approve the vacation of the subject easements.