

SUBJECT: **ELECTRIC UTILITY EASEMENT VACATION – 404 S. 4TH ST.**

BACKGROUND:

A developer has recently purchased properties at 322, 330, 334, 404, and 408 S. 4th Street. The developer has demolished the single family homes on these lots with the intent of combining the lots into one parcel and constructing an apartment building. A site plan for the apartment building is currently under review by the Development Review Committee.

There is an existing buried electric line crossing the property at 404 S. 4th Street. This line and corresponding easement conflict with the footprint of the new apartment building. The Developer has agreed to pay for the relocation of the buried electric line and grant a new easement to the City. With the electric line relocation, the existing easement will no longer be necessary.

The property owner is in the process of combining the lots into one parcel. As a part of this process, the existing easement will be vacated. Staff will coordinate separately with the developer to obtain a new easement to reflect the new electric facility installation location.

The existing easement vacation would be recorded in conjunction with the new plat of the parcel in order to protect the City's interest with regards to the electric line that is currently within the easement area. **It is understood that the new easement will need to be signed by the property owner prior to recording of this vacation request.**

A map of the area is shown in Exhibit A.

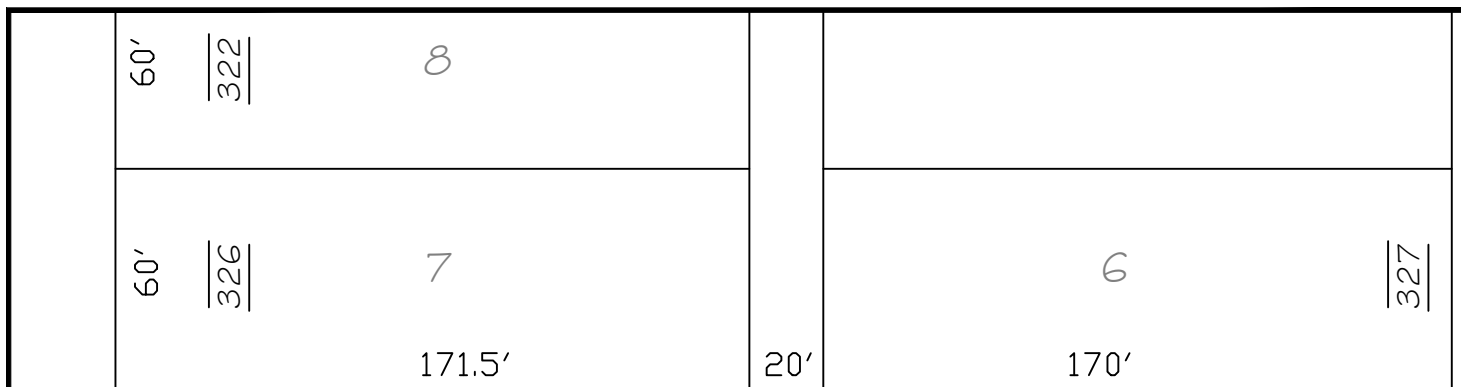
ALTERNATIVES:

1. Set a date of public hearing for May 22, 2018 to approve vacation of the electric utility easement at 404 S. 4th Street.
2. Do not set the date of public hearing to vacate the existing electric utility easement.

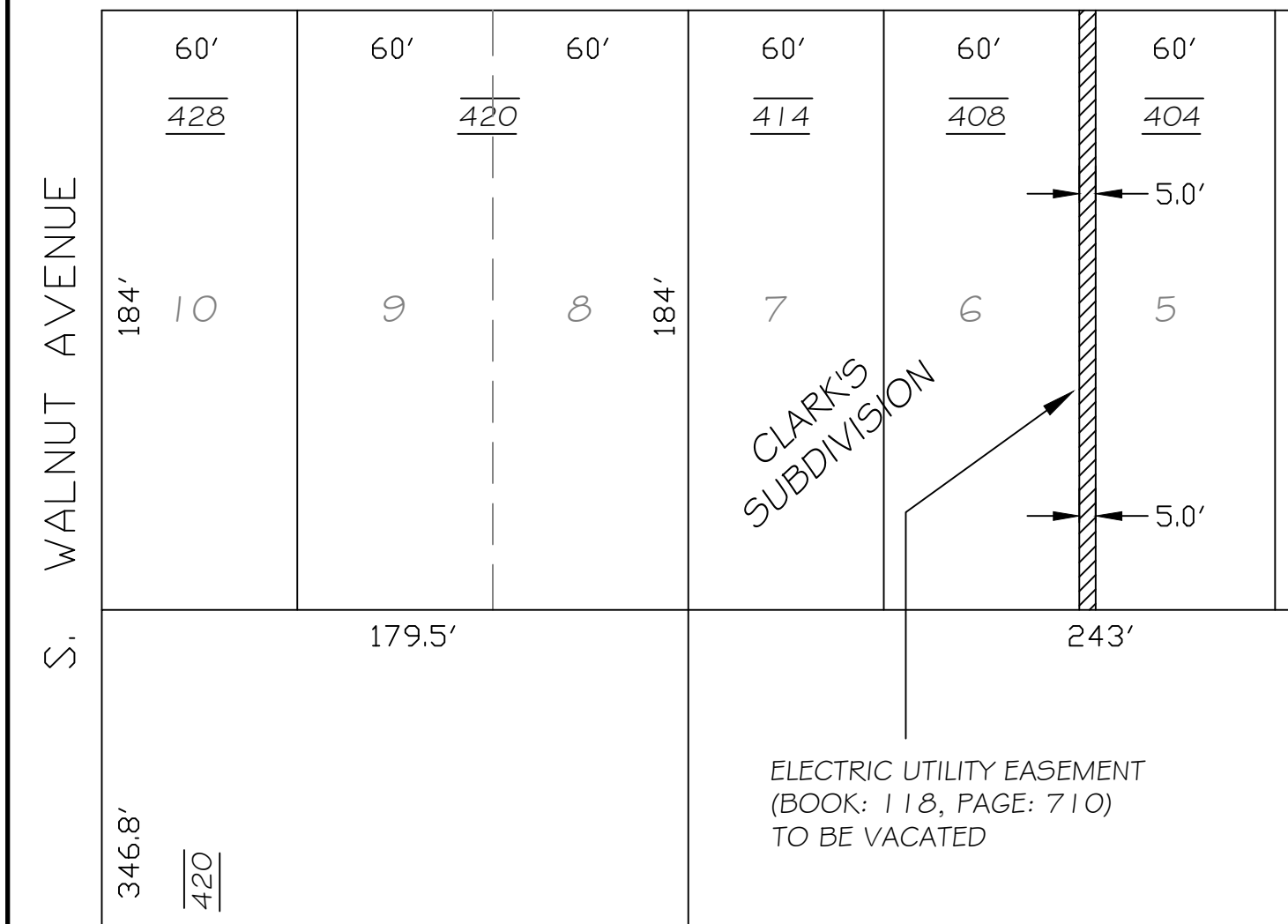
MANAGER'S RECOMMENDED ACTION:

By vacating the existing easement after obtaining a new easement, the City's interests with regards to the electric line will continue to be protected and the existing easement will no longer be located under the existing building thereby facilitating the construction of a new apartment building.

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



S. 4TH STREET



ELECTRIC UTILITY
EASEMENT VACATION

404 S. 4TH STREET
CLARK'S SUBDIVISION, LOT 5

Drawn: MEI 5/1/18

Drawing Number

Checked:

EXHIBIT "A"

Approved:

Sheet 1 of 1

Scale: 1" = 50'