

ITEM #:	<u>26</u>
DATE:	<u>01-13-26</u>
DEPT:	<u>PW</u>

COUNCIL ACTION FORM

**SUBJECT: EASEMENT VACATION AT 400 FREEL DRIVE
(RESOURCE RECOVERY AND RECYCLING CAMPUS)**

BACKGROUND:

Two ten-foot wide public utility easements were established in Pete Cooper Subdivision with the original plat in 1993. The west easement is located approximately 385 feet east of Freel Drive (within Lot 3) and the east easement is located 835 feet east of Freel Drive (along the east line of Lot 3, within the original Lot 1).

The portion of the west easement located within Lot 3 of Pete Cooper Subdivision (400 Freel Drive) contains no public or private infrastructure and conflicts with proposed development of the site. The east easement within the original Lot 1 of Pete Cooper Subdivision (2001 SE 5th Street) is clear of all proposed improvements and is able to accommodate all utilities needed to serve the area.

The purpose of this resolution is to vacate a portion of the public utility easement within Lot 3 of Pete Cooper Subdivision (400 Freel Dr) to accommodate construction of the Resource Recovery and Recycling Campus.

ALTERNATIVES:

1. Approve vacation of the ten-foot wide public utility easement located along the west side of Lot 3 of Pete Cooper Subdivision (400 Freel Drive).
2. Do not approve of the vacation and direct staff to make changes.

CITY MANAGER'S RECOMMENDED ACTION:

The new Resource Recovery and Recycling Campus construction conflicts with the public utility easement. No existing utilities are known to exist within the easement. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

ATTACHMENT(S):

[Pete Cooper Subdivision Final Plat.pdf](#)

[PUE Easement to be Vacated Description.docx](#)

[Resource Recovery Center PUE Easement Vacation Exhibit.pdf](#)