TO: Mayor and City Council

SUBJECT: VAC2008-00006 Request to vacate multiple platted access easements and a platted utility easement; generally located between I-35 and Central Avenue, west of 159th Street East. (District II)

INITIATED BY: Metropolitan Area Planning Department

AGENDA: Planning (Consent)

Staff Recommendation: Approve.

MAPC Recommendation: Approve (unanimously).

Background: The applicant proposes to vacate the 5-foot wide platted maintenance access easements located on Lots 2-12 and the platted 5-foot wide utility easement located on Lot 9, all in Block 2, the Terradyne West Addition. All of the easements are located along the length of the interior side yards of the described residential lots. The platted maintenance access easements are to be used for (per the plattor’s text) pedestrian emergency access, construction, maintenance, the extension of footing and a 2 foot overhang of the structure on the adjacent lot. There are no manholes, water or sewer lines in the described easements. Westar has equipment in an easement. The applicant proposes to create new parcels with boundary shifts, thus the need to remove the platted easements. The Terradyne West Addition was recorded with the Register of Deeds on December 12, 2006.

Analysis: The MAPC voted (14-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC’s advertised public hearing or its Subdivision Committee meeting. No written protests have been filed.

Financial Considerations: The applicant has provided Public Works with the new square footage for each of the reconfigured lots to address the redistribution of the funds involved in the specials (water, sewer and drainage) for the properties.

Goal Impact: Ensure efficient infrastructure.

Legal Considerations: A certified copy of the Vacation Order and an easement dedicated by separate instrument will be recorded with the Register of Deeds.

Recommendation/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the necessary signatures.

Attachments: None.