

City Council Agenda Memo

From: Mike Struck, Community Development Director

Council Meeting: March 23, 2021

Subject: Vacation of Lot H-1

Person(s) Responsible: Mike Struck, Community Development Director

Summary:

This resolution will vacate a lot intended for future highway purposes that has not been utilized in 40 years and authorize the City to execute a land transfer to the adjacent landowner.

Background:

In 1981, the City acquired Lot H-1 in the Southeast ¼ of Section 36, Township 110 North, Range 50 West for highway purposes. The lot is located along 22nd Avenue between the Americana Addition and Hyland Addition. The Hyland Addition has since been developed into twin homes and condominiums and the Americana Addition is a single-family residential development.

The acquisition of the lot was for highway purposes; however, street construction did not progress west of 22nd Avenue. Rather, 12th Street South provides an east/west connection between 22nd Avenue and 17th Avenue and 15th Street South provides access to the Americana Addition.

Item Details:

A petition to vacate Lot H-1 was received by Denholm Addition LLC, the developer of the Americana Addition. The lot is thirty-seven (37') feet by thirty (30') feet or 1,110 square feet. The lot is no longer needed for highway purposes and if approved, the lot would revert back to the original owners. Due to the original owners no longer owning the land, the vacation would be transferred to the adjacent property owner, which is Denholm Addition LLC. Denholm Addition LLC would replat Lot 4A, incorporating the 37' x 30' area into the northeast corner.

Legal Consideration:

City Attorney Britzman prepared the resolution based upon the legal research conducted. The resolution would vacate the Lot H-1 and authorize the City to execute a land transfer to Denholm Addition LLC.

Strategic Plan Consideration:

None.

Financial Consideration:

None.

Options and Recommendation:

The City Council has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move the item to a work session
5. Do nothing

The Development Review Team (DRT) has reviewed the proposal and supports the vacating and transfer of the Lot H-1. Staff recommends approval of the resolution as presented.

Supporting Documentation:

Memo

Resolution

Notice

Petition to Vacate

Plat

Exhibit

Map