



MAYOR AND COUNCIL

COMMUNICATION

DATE: 7/05/2016

CONSENT

ITEM #: 4

AGENDA ITEM: Auto-Owners Easement Vacation

SUBMITTED BY: Emily Becker, City Planner

THROUGH: Kristina Handt, City Administrator

REVIEWED BY: Stephen Wensman, Planning Director

BACKGROUND:

Auto-Owners recorded a Permanent Water Main Easement on December 23, 2015 as requested by the City on PID# 3302921430014. After this was recorded, the City moved the location of the water mains and hydrants, and a new Permanent Water Main Easement was recorded on this same property to accommodate this move on April 19, 2016. Auto Owners is requesting the original easement be vacated.

ISSUE BEFORE COUNCIL:

The Council should decide if the originally recorded easement should be vacated.

PROPOSAL DETAILS/ANALYSIS:

The only amendment to the originally recorded Permanent Water Main Easement is the location/legal description of the location of the easement. All other terms and conditions remain.

A public hearing was held on June 13, 2016 considering this easement vacation request. No one was at the public hearing to speak and the only inquiry received from the public was from Machine Shed; no concern

was expressed after explanation of the application. The Planning Commission is recommending that the Council approve the easement vacation request.

FISCAL IMPACT:

There is no fiscal impact as a new Permanent Water Main Easement exists to accommodate the new locations of the water mains and fire hydrants.

OPTIONS:

The Council may approve or deny the request to vacate the originally recorded Permanent Water Main Easement.

RECOMMENDATION:

Staff respectfully requests, as part of tonight's consent agenda, Council approve the request to vacate the Permanent Water Main Easement as outlined in 1238129 Permanent Water Main Easement Agreement, Exhibit B-2, dated September 29, 2015 and recorded December 23, 2015. If removed from the Consent Agenda, the recommended action can be completed through the following motion:

“Move to approve the request of Auto-Owners to vacate the easement recorded for PID# 3302921430014, as outlined in Exhibit B-2/1238129 Water Main Easement, as recorded by Washington County on December 23, 2015.”

ATTACHMENTS:

1. Letter of Easement Vacation Request from Auto-Owners showing originally recorded easement documents as well as revised recorded easement documents.

2. Resolution No. 2016- 58 Vacating a Water Main Easement Over a Portion of Lot 1 Block 1 of Eagle Point Business Park 8th Addition.
3. Planning Commission Meeting Minutes from discussion on Auto Owners Easement Vacation.