



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 2, 2018

Re: Wellington Manor Plat 3 - Easement Vacation (Case #18-101)

Executive Summary

Approval of this request would result in the vacation of a portion of an existing eighteen-foot wide water line easement, across Lot 35 of Wellington Manor Plat 3.

Discussion

Crockett Engineering (agent), on behalf of Troy and Shirley Miller (owners), requests that the City vacate its interest in the north 7-feet of an existing 18-foot wide water line easement that lies across Lot 35 of Wellington Manor Plat 3. The purpose of the requested vacation is to limit the encumbrance on Lot 35 and permit the construction of a new home on the parcel.

The subject easement is located along the southern 18-feet of Wellington Manor Plat 3 and was initially dedicated to the City pursuant to the final platting requirements in June 2003 (Ord. 17720). However, an easement covering a water line owned and maintained by Public Water Service District #9 (PWSD #9) was dedicated in August 2004 for the same location.

Due to the existing water line's location, vacation of the entire easement is not possible. Furthermore due to the dual easement rights, the City's approval of the vacation request would only remove the City's rights to the easement. PWSD #9 would also need to vacate its rights to the northern 7-feet of the easement to accommodate the applicant's needs. City staff has been informed that an application seeking vacation of PWSD #9 rights to the northern 7-feet of the easement has been submitted and will be processed by their governing body.

Vacation of the requested 7-feet will leave an 11-foot easement in place covering the existing PWSD #9 water line. This 11-foot easement has been determined to be sufficient for the existing water line by both City and PWSD #9 staff. Given this finding and that there are no future anticipated needs within the current 18-foot easement, by either City or PWSD #9 staff, the requested vacation is supported.

Locator maps and vacation graphic are attached for reference.



Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: None.

Vision & Strategic Plan Impact

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
6/16/2003	Ord. No. 17720: Approved Wellington Manor Plat 3

Suggested Council Action

Approve the requested water line easement vacation.