



Legislation Text

File #: 04-1932, **Version:** 2

Resolution of Intention to vacate east-west alley east of Elm Avenue and north of Broadway.
(Resolution ordering the vacation of the east-west alley east of Elm Avenue and north of Broadway).
(District 2)

The property owners along this substandard, 10-foot wide alley request that the City eliminate public access over this strip of land, by vacating the alley easement. The purpose of the vacation is to curtail illegal and nuisance activities affecting the welfare of the occupants of the three adjacent residential buildings. The vacation of this alley will not eliminate any access to the adjoining properties and will enable the owners to restrict access by persons not residing in or having an interest in the adjacent properties. The action requested is shown on the attached Exhibit A.

On October 5, 2004, the City Council adopted Resolution No. C-28463, declaring its intention to vacate the subject right-of-way and set November 9, 2004, as the date for the public hearing. A copy of that City Council letter is attached as Exhibit B, summarizing the findings based on evidence to establish that the subject right-of-way is unnecessary for present or prospective public use. This matter was reviewed by Deputy City Attorney Lisa Peskay Malmsten on October 18, 2004.

City Council action on this matter is not time sensitive

A vacation processing fee of \$1,000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

Receive supporting documentation into the record, conclude the hearing, find that the area to be vacated is not needed for present or prospective public use and adopt the resolution ordering the vacation of public right-of-way.