

ITEM #:	<u>39</u>
DATE:	<u>12-10-24</u>
DEPT:	<u>PW</u>

COUNCIL ACTION FORM

SUBJECT: **VACATION OF EASEMENTS LOCATED AT ASPEN RIDGE SUBDIVISION, 2ND ADDITION AND GRAND ASPEN RIDGE SUBDIVISION, 2ND ADDITION**

BACKGROUND:

As reported to City Council on November 26, 2024, the owner of Aspen Ridge Subdivision, 2nd Addition and Grand Aspen Ridge Subdivision, 2nd Addition has requested that the City vacate the following existing easements:

- 5-foot Public Utility Easement located at Part of Parcel C of Lot 1 and 5-Foot Public Utility Easement located at Part of Lot 2, Aspen Ridge Subdivision, 2nd Addition.
- 20-foot Public Utility Easement located at Part of Parcel A of Lots 1, 3 and Outlot C, Aspen Ridge Subdivision, 2nd Addition and Part of Outlot C, Grand Aspen Subdivision, 2nd Addition.
- Public Utility Easement located at Part of Parcel C of Lot 1, Aspen Ridge Subdivision, 2nd Addition
- Sanitary Sewer Easement located at Part of Lot 2, Part of Parcel C of Lot 1, and Part of Parcel A of Lots 1, 3, and Outlot C, Aspen Ridge Subdivision, 2nd Addition and Part of Outlot C of Grand Aspen Subdivision.
- Slope Easement located at Part of Parcel C of Lot 1, & Part of Lot 2, Aspen Ridge Subdivision, 2nd Addition.
- West Line Access Point Restriction located at Part of Parcel C of Lot 1 and Lot 2, Aspen Ridge Subdivision, 2nd Addition.
- 10-foot Drainage easement located at Part of Parcel B of Lot 3 of Aspen Ridge Subdivision, 2nd Addition.
- 10-foot Public Utility Easement located at Part of Parcel C of Lot 1 & Part of Lot 2 of Aspen Ridge Subdivision, 2nd Addition.

These existing easements currently hinder development on the newly platted Parcel D that combines Parcel C of Lot 1 and Lot 2. The owner will replace them with the following easements as part of the site development:

- 10-foot Public Utility Easement located at Part of Parcel D of Aspen Ridge Subdivision, 2nd Addition.
- 50-foot Utility and Access Easement located at Part of Parcel A of Lots 1, 3, and Outlot C of Aspen Ridge Subdivision, 2nd Addition, and Part of Parcel C, Grand Aspen 2nd Addition.
- 50-foot Utility and Access Easement located at Part of Parcel B of Lot 3, Aspen Ridge Subdivision, 2nd Addition.

Based on the proposed replacement easements, staff agrees that the existing easements can be vacated to facilitate development.

ALTERNATIVES:

1. Approve the vacation of the existing following easements.
 - 5-foot Public Utility Easement located at Part of Parcel C of Lot 1 and 5-Foot Public Utility Easement located at Part of Lot 2, Aspen Ridge Subdivision, 2nd Addition.
 - 20-foot Public Utility Easement located at Part of Parcel A of Lots 1, 3 and Outlot C, Aspen Ridge Subdivision, 2nd Addition and Part of Outlot C, Grand Aspen Subdivision, 2nd Addition.
 - Public Utility Easement located at Part of Parcel C of Lot 1, Aspen Ridge Subdivision, 2nd Addition
 - Sanitary Sewer Easement located at Part of Lot 2, Part of Parcel C of Lot 1, and Part of Parcel A of Lots 1, 3, and Outlot C, Aspen Ridge Subdivision, 2nd Addition and Part of Outlot C of Grand Aspen Subdivision.
 - Slope Easement located at Part of Parcel C of Lot 1, & Part of Lot 2, Aspen Ridge Subdivision, 2nd Addition.
 - West Line Access Point Restriction located at Part of Parcel C of Lot 1 and Lot 2, Aspen Ridge Subdivision, 2nd Addition.
 - 10-foot Drainage easement located at Part of Parcel B of Lot 3 of Aspen Ridge Subdivision, 2nd Addition.
 - 10-foot Public Utility Easement located at Part of Parcel C of Lot 1 & Part of Lot 2 of Aspen Ridge Subdivision, 2nd Addition.
 - 50-foot Shared Access and Public Utility Easement located at Part of Parcel B of Lot 3, Aspen Ridge Subdivision, 2nd Addition.
2. Retain the existing easements and do not take action to vacate.
3. Refer this item back to City staff for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

These existing easements currently hinder development on Parcel D. The new proposed easements will accommodate any existing utilities and the proposed development. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.

ATTACHMENT(S):

[VACATION OF EASEMENT EXHIBITS.pdf](#)

[Kwik_Star_Layout.pdf](#)

[DEVELOPMENT_SITE.pdf](#)

[PROPOSED_EASEMENT_EXHIBITS.pdf](#)