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CITY COUNCIL MEETING AGENDA ITEM REPORT

DATE: May 14, 2025

SUBMITTED BY: Tamara Melton, Legal

ITEM TYPE: Agreement

AGENDA SECTION: CONSENT AGENDA

SUBJECT: Bald Property Sidewalk Easement

SUGGESTED ACTION: Approval

Is this item Quasi-Judicial?

No

Does this item require a public hearing?

No

EXPLANATION:

In the course of replacing sidewalk improvements along Old Main Street, the City discovered that the existing sidewalk at 101 12th Street West was located outside of the City right-of-way. The sidewalk has existed in this location for decades, including during the City's ownership of the property prior to 1984. In order to address any potential issues related to the sidewalk, City staff has negotiated an easement with the property owner, Kimberly Bald.

The property owner is not seeking any compensation for the easement, but has requested to be reimbursed for the costs of obtaining additional liability insurance for the easement area. The easement can be terminated by the property owner any time after July 1, 2028, upon 180 days written notice, and upon such notice, the City would be required to relocate the sidewalk within the ROW or to another location agreeable to the property owner.

FINANCIAL IMPACT:

Reimbursement of annual insurance expenses. Initial amount is \$700.00, with annual COLA adjustment for the life of the easement.

ATTORNEY REVIEW/RECOMMENDATION:

Reviewed by Scott Rudacille, City Attorney.

SUGGESTED MOTION:

Motion to approve the Grant of Terminable Easement for Sidewalk with Kimberly A. Bald and authorize the Mayor to execute same.

ATTACHMENTS:

[Grant of Terminable Easement for Sidewalk](#)