

Agenda Report

TO: CITY COUNCIL

Date: September 10, 2001

FROM: City Manager

SUBJECT: Approval of City's Quitclaim of a Portion of an Existing Easement for Ingress and Egress, Sanitary Sewer and Public Utility Purposes at 1046 North Garfield Avenue

RECOMMENDATION:

It is recommended that, based upon the information herein, the City Council adopt the attached resolution to:

1. Approve the City's quitclaim of all of its interest in a portion of an existing easement for ingress and egress, sanitary sewer and public utility purposes at 1046 North Garfield Avenue.
2. Authorize the City Manager or her designee to execute the Quitclaim Deed on behalf of the City.

BACKGROUND:

In 1962, a 0.75 acre property with a single family dwelling located at 1046 North Garfield Avenue was subdivided to create three additional lots. The subdivision consists of two lots fronting Garfield Avenue, including 1046 North Garfield Avenue, and 2 lots situated in the rear. In order to provide ingress and egress, sewer, and utility services to the rear properties, a 24-foot wide easement was created through the two front properties. Currently, more than two-thirds of the easement area is located on the property at 1046 North Garfield Avenue.

The current property owners of 1046 North Garfield Avenue, have requested the City to quitclaim a portion of the easement, six feet wide, on their property in order to expand and improve their existing single family residence. Based on the City staff's review, only 12 feet of the existing 24-foot wide easement is presently being used for ingress and egress, sewer and utility purposes and the reduction of the easement width to 18 feet will not adversely affect the present or future benefits to the adjacent property owners of this subdivision.

BACKGROUND, Continued

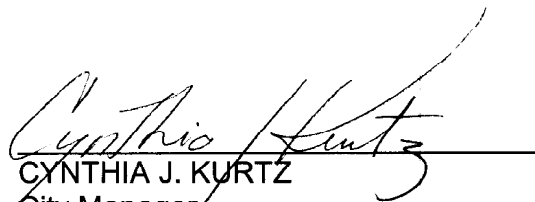
The City's interest of the easement has no market value to the City and is simply a right to utilize the area for the specified purpose. Consequently, the easement is not considered surplus property subject to disposition pursuant to the City's surplus property ordinance. It is recommended that the City quitclaim a portion of the existing easement to the property owners of 1046 North Garfield Avenue.

The proposed quitclaim document has been prepared by the Public Works and Transportation Department, reviewed by the City Attorney's office and is now ready for approval by the City Council and execution by the City Manager. The property included in the proposed quitclaim is legally described in text, as Exhibit "A" and is graphically shown on the attached Public Works and Transportation Department Drawing No. 5149.

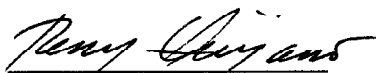
FISCAL IMPACT:

No revenue will be expended or generated by the approval of this quitclaim. The property owners of 1046 North Garfield Avenue paid all costs for preparing and processing the quitclaim.

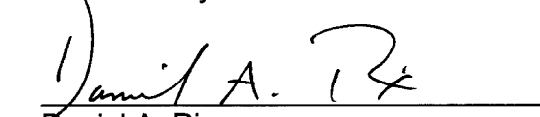
Respectfully submitted,


CYNTHIA J. KURTZ
City Manager


Prepared by:


for Bonnie L. Hopkins
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Reviewed by:


Daniel A. Rix
City Engineer

Approved by:


C. Bernard Gilpin, Director
Public Works and Transportation