

ORDINANCE NO. O-1213-21

ITEM NO. 13

STAFF REPORT

GENERAL INFORMATION

APPLICANT

Franklin Baptist Church

REQUESTED ACTION

Partial closure of right-of-way (alley) running east and west between Lots 9 through 13 and west 22-feet, Lot 29 and all Lots 30 through 32 in Block 5, Franklin Addition.

BACKGROUND: Block 5 of Franklin Addition was filed of record in 1908 with a twenty-foot (20') right-of-way (alley). This particular width of right-of-way was used for alley purposes. However, alleys were never constructed within this addition. The applicant has indicated there is no longer a need of the right-of-way. There have been no utilities in the right-of-way since the plat was filed of record.

DISCUSSION: All franchised utilities were notified to assess the impact on their facilities if the right-of-way was closed; there were no objections. There are no utilities, including City owned utilities, located within the proposed closed right-of-way. In 1984, the twenty-foot (20') right-of-way to the west, including Lots 1 through 8 and Lots 33 through 40 in Block 5 of Franklin Addition, were vacated in District Court. Franklin Baptist Church is requesting Lots 9, 10, 11, and 12 and west 22-feet of Lot 29, and all of Lots 30 through 32 located on each side of the public twenty-foot (20') right-of-way within Block 5, be closed. The utility companies and City staff are not opposed to the closure of the right-of-way (alley).

RECOMMENDATION: Staff recommends approval of the request to close the twenty-foot (20') right-of-way (alley) located between Lots 9 through 12 and west 22-feet of Lot 29 and all of Lots 30 through 32, Block 5, Franklin Addition.