

ORDINANCE NO. O-1819-19

ITEM NO. 5

STAFF REPORT

GENERAL INFORMATION

APPLICANT

NS-Norman, L.L.C.

ATTORNEY

Chad Taylor, Riggs Abney

REQUESTED ACTION

Partial closure of the ten-foot (10') utility easement within the final plat of Renaissance Addition.

BACKGROUND: The plat for Renaissance Addition was filed of record on January 30, 1998 in Book 17, Page 180. The owners are interested in closing and vacating a portion of a ten-foot (10') utility easement within the property. Apparently during the construction of the apartment complex a portion of an apartment building was inadvertently built within the utility easement. As a result of closer scrutiny by the title companies, a cloud has been raised on the title of the property.

Although the encroachment could make it more difficult for the City and utility companies to maintain their utilities within the easement, the building is existing and it would not be economically feasible to remove the structure.

DISCUSSION: All franchised utilities were notified to assess the impact on their facilities if a portion of the easement was closed; there were no objections. The utility companies and City staff are not opposed to the partial closure of a ten-foot (10') utility easement.

RECOMMENDATION: Staff recommends approval of the request to close a portion of a ten-foot (10') utility easement located within the final plat of Renaissance Addition.

ACTION NEEDED: Recommend approval or disapproval of the request to close a portion of a ten-foot (10) utility easement within Renaissance Addition.

ACTION TAKEN: _____