



Town of Johnstown

TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

AGENDA DATE: January 4, 2021

SUBJECT: Resolution 2021-02 Approving Vacation of Pedestrian Easement

ATTACHMENTS:

1. Minutes of Town Board, August 4, 1997
2. Vacation of Pedestrian Easement with Exhibit
3. Resolution 2021-02

PRESENTED BY: Kim Meyer, Planning and Development Director
Avi Rocklin, Town Attorney

During a meeting held on August 4, 1997, the Town Board (not yet Town Council...) passed a motion directing the enactment of an ordinance to “vacate the pedestrian easement [in Country Acres 8th Filing] and relocate it to the east of the property onto the existing utilities easement.” See the minutes of the meeting included herewith as Attachment 1. The ordinance was never presented or adopted.

The property owner recently approached Town staff and asked that the pedestrian easement be vacated in order that she can develop, and perhaps subdivide, her lot, and to facilitate a prospective sale. To accomplish the vacation, the Town may execute and record the Vacation of Easement included herewith as Attachment 2.

The Town Planning and Development Director has reviewed the plat and preliminarily determined that there is not a sufficient area within which to relocate the pedestrian easement, which, in any event, would require more process than the straightforward vacation of the pedestrian easement. To accommodate the property owner’s request in a timely manner, Town staff recommends that the Town Council approve the vacation of the pedestrian easement in the form presented and allow staff additional time to determine whether the easement should be relocated and, if so, to what location.

LEGAL ADVICE: The Resolution and Vacation of Pedestrian Easement were drafted by the Town Attorney

FINANCIAL ADVICE : N/A

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