



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, June 9, 2020
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Vacation of Utility Easement in Wilke-Miller-Buesing 7th Addition -- Receive Petition for Vacation of Utility Easement and Call for Public Hearing.
<b>Background Information:</b>	<p>A signed petition for vacation of a utility easement has been received from the owners of all the real property that includes the proposed area for utility easement.</p> <p>A map of the petitioned vacation area is attached.</p> <p>At one point in time, a property line was centered on the diagonal easement area that is proposed to be vacated. Once the diagonal property line was relocated with the most recent platting, utility easements were established around the perimeter of the new identified lot.</p> <p>The diagonal easement area is not being used and is no longer necessary. We do not believe any utilities are located in this area.</p> <p>A copy of the procedure for vacation of streets by resolution, included in Sec. 62-4 of the Marshall Code of Ordinances, is also attached.</p> <p>Prior to the public hearing and adoption of the resolution granting a petition for vacation, all utility companies will be contacted to ensure no utilities are currently within the proposed vacated area.</p>
<b>Fiscal Impact:</b>	Property owner to reimburse the City for all costs associated with the vacation.
<b>Alternative/ Variations:</b>	No alternative actions recommended.
<b>Recommendations:</b>	that the Council acknowledge receipt of the attached petition to vacate utility easement, order the petition to be filed for record with the City Administrator, order hearing on such petition, and set the hearing date for June 23, 2020.