



CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Jason Anderson
Meeting Date:	Tuesday, May 23, 2023
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Block 100 Right-of-Way Encroachment Agreement
Background Information:	<p>The Block 100 apartment building being constructed at the corner of W. Lyon Street and N 1st Street is nearing completion. The contractor has approached City staff with a request to move the sidewalk adjacent to the building to be located directly behind the curb instead of right against the building at the property line. Because the building has apartments at ground level, the developer wishes to move the sidewalk away from the building and to install landscaping between the building and the sidewalk.</p> <p>To accommodate this request, our City Attorney has worked with City staff to propose a right-of-way encroachment agreement. The purpose of the agreement is to ensure that both parties recognize that the developer will be landscaping on City right-of-way and that the City has the right to utilize this space as it deems necessary, and that the City is not responsible for damage to the landscaping area.</p>
Fiscal Impact:	No cost impact for the encroachment agreement.
Alternative/ Variations:	No alternative actions recommended.
Recommendations:	that the Council approves of the attached Encroachment Agreement and authorizes City staff to execute the attached agreement between Block 11 Marshall, LLC and the City of Marshall.