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## MEMORANDUM

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**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**CC:** JOSHUA M. TETZLAFF, CITY ADMINISTRATOR  
**FROM:** EVAN C. GARIEPY, PLANNER  
**SUBJECT:** SET PUBLIC HEARING DATE AND INTRODUCE ORDINANCE FOR VACATION OF CERTAIN RIGHT OF WAYS IN THE PLAT OF THE SYNDICATE ADDITION TO NEW PRAGUE, AS PROPOSED BY NICHOLAS BOROWSKE  
**DATE:** JULY 27<sup>TH</sup>, 2026

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Nicholas Borowske is the owner of 300 5<sup>th</sup> Street SW, a property which is broken up by one 40' and two 12' right of ways. Mr. Borowske has submitted an application for the City to consider vacating these right of ways, which can be seen in the attached exhibits. Vacating these rights of ways would make Mr. Borowske's property continuous.

Staff is in support of vacating the right of ways, as the City has no plans or use for streets, alleys, or utilities within the right of ways as they lead directly to the Union Pacific Railroad and currently split up a singular parcel into multiple sections. The City is unaware of any utilities that currently exist within these rights of ways. However, it is of note that there is an overhead electric line through the southern portion of the property in which staff is unable at this time to locate a recorded easement for. While the vacation request does not affect this overhead line, staff suggests approval of the vacation requests subject to obtaining an easement for the existing overhead line if an easement document cannot be located for it.

A public hearing must be scheduled before the vacation can be approved to gather input from utility companies and affected properties. Staff recommends holding this public hearing on Tuesday, September 8<sup>th</sup>, 2026. A public notice would be published in the August 13<sup>th</sup> and August 20<sup>th</sup> New Prague Times. The proposed ordinance approving the vacation is also attached so that the introduction of this ordinance can also be completed at tonight's meeting, to allow for the possible adoption of this ordinance following the public hearing on September 8<sup>th</sup>, 2026.

### **Staff Recommendation**

Staff recommends approval of the attached resolution setting the public hearing date for Tuesday, September 8<sup>th</sup>, 2026. Staff also recommends that the Council introduces the attached Ordinance #366 at tonight's meeting.