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## MEMORANDUM

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**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**CC:** JOSHUA M. TETZLAFF, CITY ADMINISTRATOR  
**FROM:** KEN ONDICH, PLANNING / COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** PUBLIC HEARING AND ADOPTION OF ORDINANCE #348 FOR PARTIAL VACATION OF CERTAIN EASEMENTS IN THE PLAT OF SUERAI, AS PROPOSED BY THE CITY OF NEW PRAGUE  
**DATE:** APRIL 5, 2024

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In 2020, the final plat for Suerai was approved which divided one large single family with an existing home into three total lots. As part of the platting process, drainage and utility easements were required around the perimeter of the plat. As is typical during a plat review, a condition was added that stated the following regarding minimum easements that must be provided for on the plat: "Drainage and utility easements must be established on the lots as described: Twenty foot wide drainage and utility easements must be centered on rear and front lot lines. Ten foot wide utility easements must be centered on side lot lines, unless the side lot line abuts a public right-of-way where the easement must be 20 feet wide.". When the plat arrived for signatures, staff noted the easements were drawn in the plat at double the required width and because the matter occurred during the Covid pandemic which was causing delays with certain projects, the plat was ultimately signed and filed with the understanding that the City would partially vacate the unnecessary easement width at a later date.

Staff does not believe there to be any utility lines (public or private) located in the easements being vacated at this time. At the time of writing this memo, staff had not received any comments regarding the vacation of the easements.

At the March 18<sup>th</sup> City Council meeting, a public hearing was scheduled for tonight's meeting and the ordinance which would vacate the described drainage and utility easements was introduced. Since that time, a notice was published twice in the New Prague Times and notices were mailed directly to utility companies so they could provide comments, if any, on the easement vacation request.

### **Staff Recommendation**

Staff recommends holding the required public hearing and subject to comments received at the public hearing should adopt the ordinance titled "An Ordinance Partially Vacating Certain Easements in the Plat of Suerai".

