



Date: September 23, 2025

Honorable Mayor and Council Members:

Author and title: Adam Petersen, Senior Planner

Title: **Easement Abandonment, 14741 Denton Avenue (017-301-035); Owners: Thaddeus Zenon Mach, Thaddeus Zenon Mach Living Trust; Application 2025-0000013**

Jen Callaway, Town Manager

Recommended Action: (1) Adopt Resolution 2025-61 approving the abandonment of the ten-foot (10') public utility easement (PUE) and the 20-foot light and air easement at 14741 Denton Avenue (APN 017-301-035); Lot 5, Donner Heights Subdivision Unit No. 1; and (2) Authorize the Town Manager to sign the Indemnification Agreement between the Town of Truckee and Thaddeus Zenon Mach Living Trust regarding APN 017-301-035.

Discussion: The property is at 14741 Denton Avenue in the Donner Height Subdivision Unit No. 1, with a final map recorded September 23, 1960 (see Attachment #3). As part of the Donner Heights Subdivision Unit No. 1, all lots were recorded with public utility easements for water, gas, sewer, natural gas and/or conduits for electric, telephone and television service, and a 20-foot light and air easement for light and air to be kept free of building.

The applicant, Tory Keeney, has submitted an Easement Abandonment application to abandon the ten-foot PUE and 20-foot light and air easement. The applicant is requesting the abandonment to facilitate the construction of a home that would otherwise not be feasible given the slope of the lot.

Any and all public utility agencies and special districts with an interest in this easement abandonment application have been notified and have either abandoned their respective interests or authorized the Town to do so.

The indemnity and hold harmless agreement (Exhibit C) is required to ensure that the Town would not be held liable for any claims that result from the easement abandonment, including any claims or suits arising from any alleged ownership or other interests.

Pursuant to Development Code Section 18.88.030.B (Minor Public Service Easement Vacation), a request for the vacation of a public service easement may be approved, with or without conditions by the Town Council, if any one of the following findings can be made:

1. The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the requested vacation, and the easement is not necessary for present or prospective public use;
2. The date of dedication or acquisition of the easement is less than five years, and more than one year, immediately preceding the requested vacation, the easement was not used continuously since that date, and the easement is not necessary for present or prospective public use; or
3. The easement has been superseded by relocation, there are no other public facilities located

within the easement, and the easement is not necessary for present or prospective public use.

Staff recommend approval of the proposed public utility easement abandonment and light and air easement based on Finding #1. The easements have not been used for the purpose for which it was dedicated for five consecutive years immediately preceding the requested vacation. All public utility agencies and special districts with an interest in this easement have been notified, and all have taken action to abandon their interest in the easement or have provided authorization for the Town to abandon the interest on their behalf.

Priority:

<input type="checkbox"/>	Enhanced Communication	<input type="checkbox"/>	Climate and Greenhouse Gas Reduction	<input type="checkbox"/>	Housing
<input type="checkbox"/>	Infrastructure Investment	<input type="checkbox"/>	Emergency and Wildfire Preparedness	<input checked="" type="checkbox"/>	Core Service

Fiscal Impact: No fiscal impacts will be borne by the Town for the approval of the indemnification agreement or easement abandonment. All staff review hours are covered by the application fees, which are paid by the applicant.

Public Communication: All public utility agencies and special districts that have an interest in the easement were notified of the requested easement abandonment.

Attachments:

1. Draft Resolution 2025-61
 - Exhibit A: Exhibit and Legal Description
 - Exhibit B: Findings
 - Exhibit C: Indemnity, Hold Harmless, and Defense Agreement
2. Vicinity Map
3. Donner Heights Subdivision Unit No. 1