

**RESOLUTION
TO VACATE PART OF STORM SEWR EASEMENT
ALONG THE SOUTH LOT LINE OF LOT 2, BLOCK 4, LECLERC'S ADDITION**

WHEREAS, a petition has been filed with the city council to vacate part of the 10 foot wide storm sewer easement along the south line of Lot 2, Block 4, LeClerc's Addition to the City of Grand Forks containing 59.52 Square Feet, more or less.

WHEREAS, notice thereof has been published in accordance with the law, and a hearing has been held thereon.

NOW, THEREFORE, Be It Resolved by the city council of the City of Grand Forks, North Dakota, that the hereinbefore described property as shown on the attached map which is by reference made a part hereof, be and the same is hereby vacated and discontinued.

BE IT FURTHER RESOLVED, That the city auditor publish this resolution as provided by law.

I, Maureen Storstad, city auditor, hereby certify that the aforementioned resolution was passed and adopted by the city council of the city of Grand Forks, North Dakota, at its meeting held at 5:30 o'clock in the evening on Monday, January 6, 2020.

**Maureen Storstad
City Auditor**

(Seal)

(January 11, 2020)

**NOTICE OF PETITION TO VACATE PART OF STORM SEWER EASEMENT
ALONG THE SOUTH LOT LINE OF LOT 2, BLOCK 4,
LECLERC'S ADDITION**

Notice is hereby given that a petition has been filed with the city auditor to vacate part of the 10 foot wide storm sewer easement along the south line of Lot 2, Block 4, LeClerc's Addition to the City of Grand Forks, containing 59.52 square feet, more or less.

Notice is further given that the city council has set the 6th day of January, 2020 at 5:30 o'clock in the evening in the council chambers in City Hall in the city of Grand Forks, North Dakota, as the time and place for hearing said petition, and at said time and place all persons interested may submit testimony, evidence or argument either for or against said petition.

Dated: November 18, 2019.

Maureen Storstad
City Auditor

(November 23 and 30, December 7 and 14, 2019)



City of Grand Forks

Staff Report

Planning & Zoning Commission – November 6, 2019

City Council – November 18, 2019 and January 6, 2020



Agenda Item: 3-1 (Final) Vacation of a part of the 10 foot wide storm sewer easement within Lot 2, Block 4, LeClerc's Addition, located at 5509 Charlie Ray Drive.

Prepared by:

Submitted by: Brad Gengler, City Planner

Staff Recommended Action: Recommend approval of the request from Anthony and Kimberly Miller to vacate a part of the 10 foot wide storm sewer easement along the south lot line of Lot 2, Block 4, LeClerc's Addition to the City of Grand Forks, ND located at 5509 Charlie Ray Drive. Recommend the City Council approve the request on November 18, 2019 and set a public hearing as prescribed by law.

November 6, 2019 – Committee Recommended Action: Motion by Sande, second by Lunski to approve staff recommendation. Motion carried unanimously.

November 18, 2019 – Council Action: Approved unanimously on consent agenda, public hearing set for January 6, 2020

January 6, 2019 – Council Action:

BACKGROUND: The applicant is requesting to vacate a portion of the 10 foot wide storm sewer easement along the south side of the subject property. It was recently discovered that the home was built approximately 1.2 feet into the 10-foot easement as shown on the attached vacation map. Only that portion of the easement that the home encroaches on will be vacated, with the remaining easement staying intact for the existing storm sewer pipe along the south lot line. The vacation will allow for a clear title to the property.

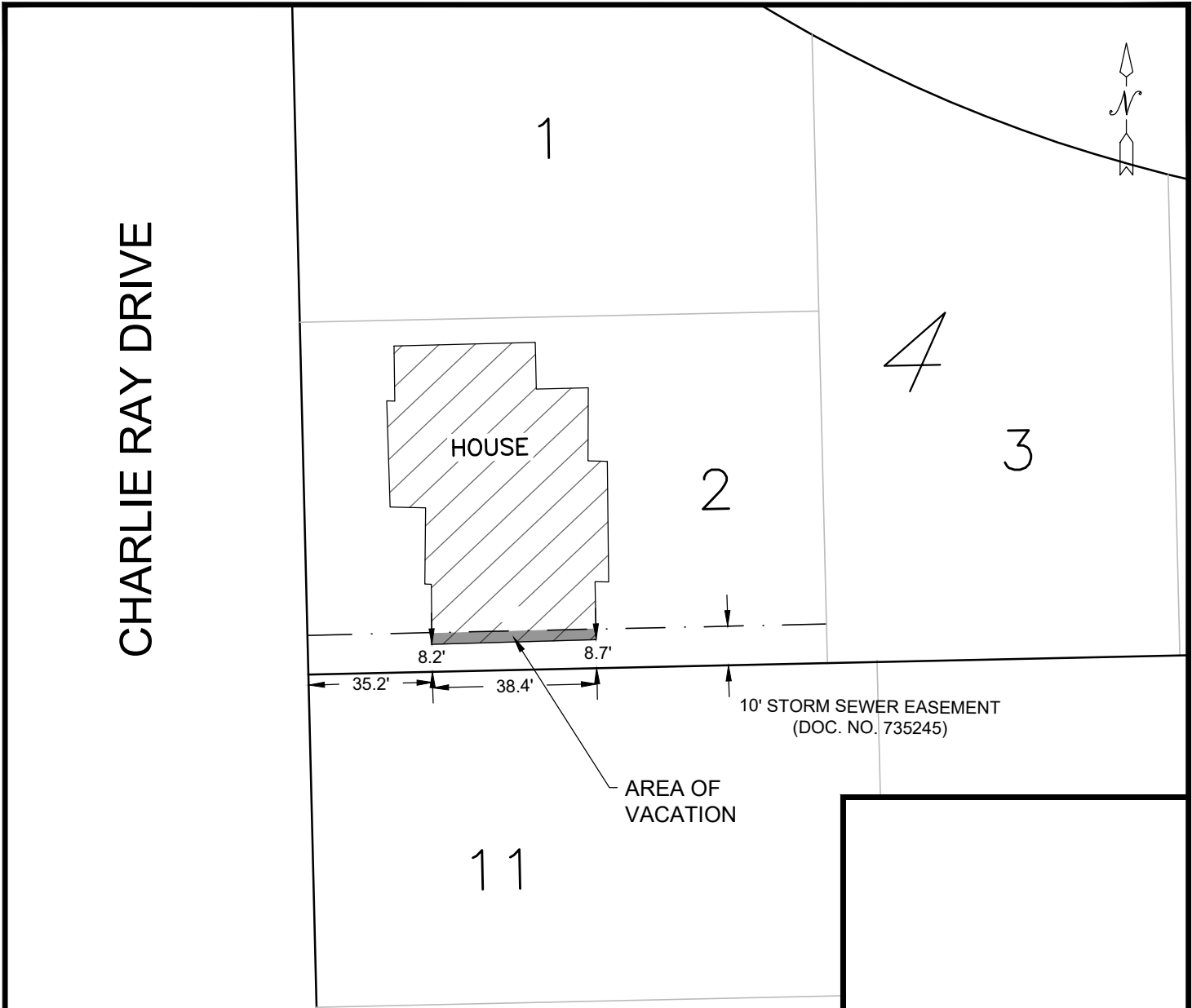
Staff recommends approval of the vacation.

ANALYSIS AND FINDINGS OF FACT:


- Vacations require approval by the Planning and Zoning Commission and the City Council.

SUPPORT MATERIALS:

- Vacation Map



LAND DESCRIPTION-
 PART OF THE 10 FOOT WIDE STORM SEWER EASEMENT ALONG THE SOUTH LINE
 OF LOT 2, BLOCK 4, LeCLERC'S ADDITION TO THE CITY OF GRAND FORKS CONTAINING 59.52
 SQUARE FEET, MORE OR LESS.

 CITY OF GRAND FORKS <small>NORTH DAKOTA</small>	CITY OF GRAND FORKS ENGINEERING DEPARTMENT	VACATION AREA 5509 CHARLIE RAY DRIVE		DATE 10/23/2019	REVIEWED BY B. BARTHOLOMEW
		SCALE NTS	DRAWN BY J. HOLWEGER		