

STAFF REPORT

May 31, 2000

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**VAC #00VE007 - Vacation of Private Utility Easement**

**ITEM**

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GENERAL INFORMATION:

PETITIONER	Robert Grimm
REQUEST	<b>VAC #00VE007 - Vacation of Private Utility Easement</b>
LEGAL DESCRIPTION	Ten foot wide private sewer service line easement across Lot 1 and Lot 7, Grimm Addition, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	11.75 Acres
LOCATION	At the northeast corner of the intersection of S.D. Highway 44 East and Creek Drive
EXISTING ZONING	Light Industrial
SURROUNDING ZONING	
North:	Light Industrial
South:	Light Industrial
East:	Medium Density Residential
West:	Low Density Residential
PUBLIC UTILITIES	City Sewer and Water
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the Vacation of Private Utility Easement be approved except for that portion of the easement located within the eighty-seven foot wide drainage and utility easement and in accordance with the following stipulation:

Engineering Division Recommendations:

1. Prior to City Council consideration of this request, a revised vacation instrument shall be submitted by the petitioner identifying the vacation of all portions of the private utility easement except for that portion of the easement located within the eighty-seven foot wide drainage and utility easement.

GENERAL COMMENTS: The petitioner has submitted this request to vacate a ten foot wide private utility easement for sewer service where his property abuts Highway 44 East. The sewer line in this location was recently abandoned as it was reconstructed closer to the highway.

STAFF REVIEW: The Engineering Division has noted that it is appropriate to vacate all portions of the ten foot wide easement except for the eastern-most portion. This eastern portion is part of an eighty-seven foot wide north/south drainage and utility easement which runs along the

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eastern property line of the subject property. The Engineering Division has, therefore, indicated that this portion of the easement needs to remain. The petitioner will be responsible for providing Staff with a revised vacation instrument reflecting this change prior to City Council consideration of this request.

Staff has noted that all affected utility companies have responded in writing and have expressed no objections to the vacation of the utility easement.

STAFF REPORT

April 20, 2000

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