

STAFF REPORT  
September 9, 2010

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**No. 10VR005 - Vacation of Right-of-way**

**ITEM 13**

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GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 10VR005 - Vacation of Right-of-way</b>
EXISTING LEGAL DESCRIPTION	12 foot wide private lane to be vacated from the northeast corner of Lot B of Lot 4 of Block 2 of Cleghorn Canyon No. 2, N88°20'25"W a distance of 120.47 feet, thence N01°48'54"E a distance of 12.33 feet, thence S88°11'06"E a distance of 120.58 feet, thence S02°20'56"W a distance of 12.00 feet to a point of closing and the private lane to be vacated is adjacent to the north 202 feet of Lot 4 and the vacated street lying east and adjacent to said Lot in Block 2 and Lot B of Lot 4 of Block 2 of Cleghorn Canyon No. 2, located in the SW1/4, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.03 Acres
LOCATION	Northwest of Cleghorn Canyon Road and Cleghorn Canyon Lane
EXISTING ZONING	Public District
SURROUNDING ZONING	
North:	Public District
South:	Public District
East:	Public District
West:	Public District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/3/2010
REVIEWED BY	Jim Flaaen / Ted Johnson

RECOMMENDATION:

Staff recommends that the Vacation of Right-of-way be approved.

GENERAL COMMENTS: This Vacation of Right-of-Way request has been submitted to vacate a 12 foot wide and approximately 120 linear foot portion of right-of-way located north of Cleghorn Canyon Road, west of Cleghorn Canyon Lane and northwest of Jackson Boulevard. The right-of-way extends east-west separating two City-owned parcels. The

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section of right-of-way is not currently constructed to City design standards and curb, gutter, sidewalk and street light conduit have not been installed. The applicant has indicated that the vacation is necessary to construct the proposed Jackson Springs Water Treatment Plant.

The right-of-way proposed to be vacated is located north of Cleghorn Canyon Road, west of Cleghorn Canyon Lane and northwest of Jackson Boulevard. The old Cleghorn School is located on the parcel on the north side of the section of right-of-way to be vacated.

STAFF REVIEW: Staff has reviewed the proposed Vacation of Right-of-Way and has noted the following issues:

Utilities: All of the affected utility companies have been contacted regarding the proposed Vacation of Right-of-Way. None of the affected utility companies has indicated any objections to the proposed request.

Access: Single family residences are located west of the section of right-of-way proposed to be vacated. The City has purchased several of the properties. In addition, a 24 foot private access easement has been dedicated on the west side of Lot B of Lot 4, south of the proposed area of vacation, which will provide access to the remaining private residences. Cleghorn Canyon Lane will continue to provide access to the properties located northwest of the proposed area of vacation.

Petition to Vacate Public Right-of-Way: As previously stated, the properties located adjacent to the proposed area of vacation are owned by the City of Rapid City. The Mayor has signed the required Petition to Vacate Public Right-of-Way for the properties located adjacent to the proposed area to be vacated.

Staff recommends that the Vacation of Right-of-Way request be approved.