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## MEMORANDUM

TO: Rapid City Planning Commission

FROM: Lisa Seaman, Planner II

DATE: July 17, 2002

RE: Vacation of Public Access and Utility Easement on Lots 3, Block 21, Wise's Addition, located in the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota.

On July 15, 2002 the City Council approved the request for vacation of access and utility easement on the above referenced property. The Attorney's Office has notified staff that South Dakota Codified Law requires that the vacation of access easement be reviewed and approved by the Planning Commission. Staff erred and did not include the vacation request on an agenda for consideration by the Planning Commission.

Staff has reviewed the vacation request and all of the affected utility companies have indicated support of the vacation request.

**Staff is requesting that the Planning Commission concur with the City Council's action and approve the vacation request as identified on the vacation exhibit.**