



## **AGENDA MEMORANDUM**

First Reading Ordinance for the City Council Meeting of October 9, 2018  
Second Reading Ordinance for the City Council Meeting of October 16, 2018

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**DATE:** September 18, 2018

**TO:** Keith Selman, Interim City Manager

**FROM:** Nina Nixon-Mendez, FAICP, Director of Development Services  
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Closing of a portion of a utility easement located at 3945 Crosstown State Highway 286

### **CAPTION:**

Ordinance abandoning and vacating a 0.0223 acre portion of a utility easement out of Roseland Place Lot 4, Block 4, located at 3945 Crosstown State Highway 286.

### **PURPOSE:**

The purpose of this ordinance is to close a portion of a utility easement along the common property line of adjacent lots owned by the property owner.

### **BACKGROUND AND FINDINGS:**

Kleberg Bank (Owner) is requesting the vacation and abandonment of a 0.0223 acre (970-square feet) which is a portion of a 10-foot utility easement out of Roseland Place Lot 4, Block 4, located at 3945 Crosstown State Highway 286. This abandonment and vacation of the utility easement is being requested by the owner due to common ownership between both lots. All public and franchised utilities were contacted and none of the City departments or franchised utility companies stated objections regarding the proposed utility easement closure. The closure is being proposed to allow a future development of a Kleberg Branch.

### **ALTERNATIVES:**

Denial of the proposed utility easement abandonment and vacation. This will adversely impact the Owner's ability to move forward with future development of the subject property.

**OTHER CONSIDERATIONS:**

None

**CONFORMITY TO CITY POLICY:**

These requirements are in compliance with the City Code of Ordinances Section 49-13.

**EMERGENCY / NON-EMERGENCY:**

Non-emergency

**DEPARTMENTAL CLEARANCES:**

All public and franchised utilities were contacted. None of the City departments or franchised utility companies stated objections regarding the proposed utility easement closure. No utilities are located in the proposed easement closure. NOTE: The remaining western portion of the utility easement will remain to accommodate American Electric Power (AEP) electrical infrastructure.

**FINANCIAL IMPACT:**

☐ Operating      ☐ Revenue      ☐ Capital      X Not Applicable

<b>Fiscal Year: 2018-2019</b>	<b>Project to Date Expenditures  (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

**Comments:**

**RECOMMENDATION:**

Staff recommends approval of the easement closure.

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance with Exhibits  
Presentation