

RESOLUTION NO. 96-009

A RESOLUTION DENYING STREET VACATION NO. 24-96,
CONCERNING A PORTION OF THE RIGHT-OF-WAY OF EAST 16TH
STREET ADJACENT TO PROPERTIES LOCATED AT 2525 EAST
16TH, 2610 EAST 15TH STREET, AND 2618 EAST 15TH STREET

WHEREAS, the City Council conducted a public hearing
concerning Street Vacation No. 24-96 on February 12, 1996, and
following the close of the public hearing, the Council voted to
continue their deliberations until February 26, 1996; and

WHEREAS, on February 14, 1996, the City Manager, City
Attorney, and Community & Economic Development Director met with
Mr. and Mrs. Scott Gayer and their attorney, and Mr. and Mrs.
Brendon Irvine, to discuss concerns raised by the Gayers as to
the impact of the proposed street vacation upon adjacent
properties owned by the Gayers; and

WHEREAS, information presented at this meeting established
the Gayers had purchased the adjacent properties with the
expectation that access to the properties would be provided
through the portion of East 16th Street which was proposed to be
vacated, and that the proposed street vacation would
significantly affect the market value of the Gayers' properties,
which would require the City to compensate the Gayers for the
damage to their properties; and

WHEREAS, in view of the fact that approval of the requested
street vacation would require the expenditure of public funds
which have not been approved or allocated in the budget process,
and evidence indicating the subject portion of East 16th Street
may need to be retained to provide street access for adjacent
parcels, the Council finds the requested street vacation is not
in the public interest;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AS
FOLLOWS:

Section 1. Street Vacation No. 24-96 is hereby denied.

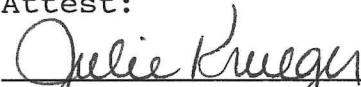
PASSED AND ADOPTED THIS 11TH DAY OF MARCH, 1996.

Voting Yes, Councilmembers:	<u>Koch, Briggs, Davis, Hill, Van Cleave</u>
Voting No, Councilmembers:	<u>None</u>
Absent, Councilmembers:	<u>None</u>
Abstaining, Councilmembers:	<u>None</u>

AND APPROVED BY THE MAYOR THIS 11th DAY OF MARCH, 1996.

Attest:


David R. Beckley, Mayor


Julie Krueger, CMC, City Clerk

