TO: Mayor Shaun Sipma
Members of the City Council
FROM: John Van Dyke, Principal Planner
DATE: December 20, 2021
SUBJECT: Right-of-Way Vacation of 13th Ave SE – Public Hearing

I. RECOMMENDED ACTION

1. Recommend approval of a resolution provided as Attachment D that vacates that portion of 13th Ave. SE as provided in the Right-of-Way Vacation Exhibit (Attachment A), subject to the recordation of an access easement as illustrated in Attachment B.

II. DEPARTMENT CONTACT PERSONS

Brian Billingsley, Community and Economic Development Director 857-4147
John Van Dyke, Principal Planner 857-4108

III. DESCRIPTION

A. Background
On November 15, City Council voted in favor of holding a public hearing on the request to vacate 13th Ave. SE. The public hearing was noticed in the Minot Daily News for four consecutive weeks as required by local and state law. A land development application (Jefferson South Addition) is currently in-process and relies on the approval of this right-of-way vacation.

IV. IMPACT:

A. City Council approval will vacate the right-of-way subject to the recordation of an access easement to serve the properties that would otherwise rely on the right-of-way for access. No comments have been received by staff at the time of writing this memo.

V. ALTERNATIVES

Alt 1. City Council may deny the request and the right-of-way will remain as-is.
VI. TIME CONSTRAINTS

As with all development proposals, any delay in rendering a decision may delay the broader development prospects of the property owner and/or developer.

VII. LIST OF ATTACHMENTS

A. Attachment A – Right-of-Way Vacation Exhibit
B. Attachment B – Access Easement
C. Attachment C - Adjacent Property Owner Signature Page
D. Attachment D - Resolution to Vacate the Subject Right-of-Way

Approved for Council Agenda: _________________________________  Date: ______________