

CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** January 28, 2019
SUBJECT: Consider Ordinance No. 3568, abandoning a portion of Sayers Lane right-of-way.
PRESENTER: Caroline Waggoner, Director of Public Works

SUMMARY:

The City Council is being asked to approve an ordinance which abandons a portion of the Sayers Lane right-of-way (ROW) as a condition of development and dedication of replacement right-of-way in the Woodbert Addition.

GENERAL DESCRIPTION:

The ROW for Sayers Lane was dedicated by deed in 1950 by a property owner (last name Austin) who owned both the north and south side of the proposed Sayers Lane. The ROW was dedicated with the same instrument the Austins used to sell the property on the south side of Sayers.



The parcel outlined in blue is the land conveyed by deed with the ROW dedication shown in red hatch. The property on the north side of the new Sayers Lane dedication was sold a year later in 1951 to the Kidd family, who still owns most of that property. This being the case, the City Attorney determined that it is reasonable that the property owner(s) on the south would have a greater claim to the ROW once abandoned.



It is the last property on the south that is currently developing, dedicating new ROW and seeking to abandon the westernmost 120' of Sayers ROW in order to incorporate the far western portion of Sayers into a developable lot. In exchange for the abandonment of ROW, the developer proposes to dedicate new right-of-way, including a cul-de-sac at the end of the dedication, providing for a full-size turnaround at the end of the street; something that Sayers Lane has lacked up to this point. The right-of-way proposed for abandonment is not paved, and contains no public or franchise utilities.

The proposed ordinance which abandons the right-of-way includes conditional requirements that the related Woodbert Addition replat is approved, and the public street (Oakmark Court) be constructed within two years or the right-of-way shall be conveyed back to the city.

RECOMMENDATION:

Approve Ordinance No. 3568.