

Memorandum 09-56

To: Doug Russell, City Manager
From: Joe Morrow, Building Official
Subject: Utility Easement Vacation, Hillcrest East Subdivision
Date: March 12, 2009

Mr. Jim Tramp has requested that the 12.5 foot utility easement located on lot 13, Block 8, Hillcrest East Subdivision, Yankton South Dakota be vacated. An existing 7.5 foot side yard easement will remain for the placement of any future utilities (See Exhibit A).

The following utilities that could have an interest in this easement have been contacted by Mr. Tramp and have agreed that these easements are not needed. Signed affidavits have been provided by the utility providers documenting their acceptance of this utility vacation and are on file with the Office of Community Development.

North Western Energy
The Qwest Corporation
Knology
Mid American Energy
Midcontinent Communications
City of Yankton Department of Public Services
City of Yankton Department of Environmental Services

It is recommended that the City Commission approve the vacation of the 12.5 foot utility easement located on Lot 13, Block 8, Hillcrest East Subdivision, Yankton South Dakota.

Respectfully Submitted,


Joe Morrow
Building Official

Recommendation: It is recommended that the City Commission accept Memorandum # 09-56 and Resolution #09-15 pertaining to the 12.5 foot utility easement vacation request for Lot 13, Block 8 Hillcrest East Subdivision, Yankton South Dakota as shown in Exhibit A and approve the vacation of said easement.

I concur with this recommendation.

I do not concur with this recommendation.


Doug Russell
City Manager

Cc Dave Mingo,
Community Development Director

RESOLUTION # 09-15

REQUEST FOR UTILITY EASEMENT VACATION

WHEREAS, Jim Tramp has requested the vacation of the 12.5 foot utility easement located on Lot 13, Block 8, Hillcrest East Addition, Yankton South Dakota. Please reference the attached Exhibit A.

WHEREAS, all private and public utility providers have been contacted and have signed affidavits documenting their acceptance of this utility vacation

NOW THEREFORE BE IT RESOLVED, that the described property has received City of Yankton Board of Commission approval for the vacation of the 12.5 foot utility easement (see exhibit A) located on Lot 13, Block 8 of Hillcrest East Addition, Yankton South Dakota.

Adopted:

Daniel Specht, Mayor

Attest:

Al Viereck, Finance Officer

IN WITNESS WHEREOF the City has executed this Easement Vacation on this _____ day of _____ 2009.

CITY:

Doug Russell, City Manager

STATE OF)
)SS
COUNTY OF)

On the _____ day of _____, 2009, before me, the undersigned officer,
personally appeared _____, known to me to be the person who is
described in and being authorized so to do, executed the foregoing instrument for the purpose
therein contained and acknowledged to me that they executed the same.

IN WITNESS whereof, I hereunto set my hand and official seal.

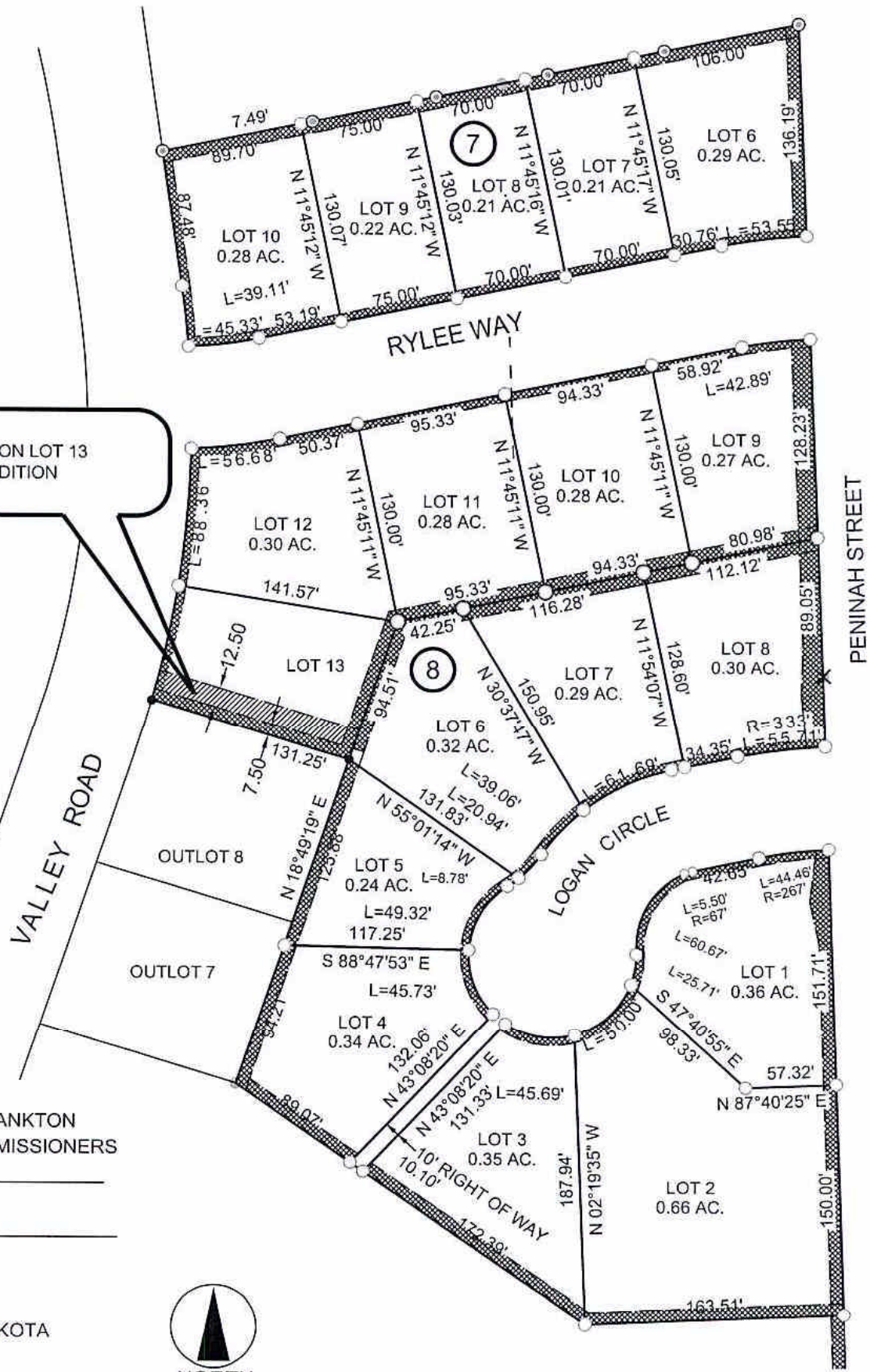
My commission expires _____

NOTARY PUBLIC

Prepared by: _____
Joe Morrow
City of Yankton
416 Walnut
Yankton, SD 57078
(605) 668-5253

EXHIBIT -A-

VACATION OF THE 12.5 FOOT UTILITY EASEMENT LOCATED ON LOT 13 BLOCK 8, HILLCREST EAST ADDITION YANKTON, SOUTH DAKOTA



APPROVED BY THE YANKTON CITY BOARD OF COMMISSIONERS
DATE: _____

PREPARED BY: _____
JOE MORROW
CITY OF YANKTON
416 WALNUT
YANKTON, SOUTH DAKOTA

