



**REQUEST FOR COMMISSION ACTION**  
**CITY OF INDEPENDENCE**  
**May 23, 2019**

Department Administration

Director Approval Kelly Passauer

**AGENDA ITEM** Public hearing to consider vacating an east/west alley connecting to Earl Street between Cedar Street and Coffeyville Avenue (a utility easement would remain for the vacated alley).

**SUMMARY RECOMMENDATION** Vacate the alley.

**BACKGROUND** At your April 25, 2019 Meeting the City Commission approved setting a public hearing for May 23, 2019 at 5:30 PM to consider vacating an unimproved alley at the request of adjoining property owners, Octavian Castorena and Erin Trimble. When an alley is vacated the property lines of the adjoining property shift to the center of the previously platted alley. There are utilities located in this alley, therefore, staff is recommending that a utility easement remain which means that the vacated alley could not have any permanent structures built over it. The alley is an east/west unimproved alley south of Cedar Street and north of Coffeyville Avenue, starting at Earl Street going approximately 650' east and ending at an improved north/south alley connecting East Cedar Street and Coffeyville Avenue located approximately 140' west and running parallel to South Cement Street.

An aerial of the alley is shown below:



The City Attorney has prepared an ordinance to vacate this unimproved alley while maintaining a utility easement.

**BUDGET IMPACT** The budget impact would be any publication costs and filing fees for the alley vacation.

**SUGGESTED MOTION** I move to adopt an ordinance vacating an east/west alley connecting to Earl Street between Cedar Street and Coffeyville Avenue, with a utility easement remaining for the vacated alley.

**SUPPORTING DOCUMENTS**

1. Proposed Ordinance
2. Request from Octavian Castorena and Erin Trimble
3. Public Hearing Notice
4. Memo from the City Attorney