

02-19-20 Town Council Meeting Responses to Council Questions #1

ITEM #5: Call for a Public Hearing for April 1, 2020 to Consider a Request to Close a Portion of an Unmaintained and Unimproved Public Right-of-Way of Monroe Street

Council Question:

What process does a dedication of an access easement entail?

Staff Response:

The process for approving an access easement is as follows:

- *For an easement, an easement document is required.*
 - *Part of the required documentation is a metes and bounds survey showing the easement dimensions and location within the property on which the easement is being requested.*
- *If the requested easement is on public property, Town staff will work with the person requesting the easement to draft the easement and survey.*
- *If the request for an easement is on private property, the person requesting the easement is responsible for drafting the easement documentation and obtaining the survey. Also, if the request for an easement is coming from someone other than the property owner, the applicant will need to acquire permission from the property owner.*
- *Once the document has been drafted, the Town's Engineering staff will review the easement.*
- *Once Engineering has completed its review, the Town's Legal Department then reviews the easement.*
- *Once the Town's Legal Department approves, the property owner will sign the document and have it notarized.*
- *Then the easement is recorded with the County.*

Council Question:

Is the owner of the one parcel that would be served by a proposed access easement part of the group of adjacent owners who are amenable to the right-of-way closure and a proposed access easement?

Staff Response:

The primary adjacent property owner is amendable to this closure, given that there will be a full public access easement in-place before the completion of the right-of-way closure process. The final step would be to record the closure. We are still in discussions with the property owner to ensure that this closure does not limit a person's access.