



## Legislation Details (With Text)

**File #:** 16-213      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Agenda Ready  
**File created:** 8/17/2016      **In control:** Town Council Meeting  
**On agenda:** 8/22/2016      **Final action:**  
**Title:** Public Hearing for 120 Church Street NE Alley Vacation. APPLICATION AND REQUEST FOR VACATION HAS BEEN WITHDRAWN

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Survey and Legal Description of Alley between Dominion and Center, 2. Plat of Alleyway\_15' and Consolidation\_120 Church Street, 3. 120 Church alley vacation application and receipt, 4. Appraisal Report\_120Church Street\_Alleyway, 5. Deed of Consolidation\_120 Church Street NE, 6. Metes\_and\_Bounds Descriptions\_113A\_111A\_113 and 15Ft Alley, 7. Offer Letter April 2016, 8. November 5, 2012 Council Agenda & Report, 9. Church St alley address list for Council April 2016, 10. Staats alley vacation Council notice letter 4-29-2016

Date	Ver.	Action By	Action	Result
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**Subject:**

Public Hearing for 120 Church Street NE Alley Vacation. APPLICATION AND REQUEST FOR VACATION HAS BEEN WITHDRAWN

**EXPLANATION AND SUMMARY :**

In November 2012, contingent upon the applicant's provision of plats, deed of consolidation, appraisal, and other necessary information, Town Council approved beginning the process to dispose of the alley between 108-110 Church Street NE (Tocherman) and 120 Church Street NE (Staats). The alley runs mid-block from Church Street to Ayr Hill Avenue. No further information was provided in 2012, and the matter was not pursued by staff.

In March 2016, Mr. Staats submitted a new application with his fee to request vacation of the alley adjacent to his property at 120 Church Street NE. Recently Mr. Staats provided a plat, deed of consolidation, metes & bounds description, offer letter, and appraisal.

On August 8, 2016, the Applicant withdrew his request to vacate the alley between 108-110 Church Street NE (Tocherman) and 120 Church Street NE (Staats)

**Departmental Recommendation :** Announce that the Public Hearing is not necessary as the Application to Vacate has been withdrawn

**Finance Recommendation :**

**Purchasing Recommendation :** N/A

**Town Attorney Recommendation** : Based upon the withdrawal of the Application to Vacate, the Town Attorney recommends that the Mayor announce Agenda item and the application has been withdrawn, no Public Hearing is required.

**Town Manager's Recommendation** : I recommend that the Mayor announce the Agenda item and application have been withdrawn and no Public Hearing is required.

Cost and Financing: Approximately \$2,000 for independent appraisal

Account Number: 100-104-1041-14110-43101

Decision Needed by This Date: N/A

**PROPOSED/SUGGESTED MOTION**

“I move that based on the withdrawal of the Application to Vacate, this matter be withdrawn from the Agenda and no action taken on the proposed request to vacate a portion of the public alley between 108-110 Church Street NE and 120 Church Street NE”

Or

Other action deemed necessary by Council.